

# Exhibit R1

-----Original Message-----

From: [REDACTED]  
Sent: Friday, January 6, 2023 5:16 PM  
To: Planning Department <PlanningDepartment@ci.florence.or.us>  
Cc: [REDACTED]  
Subject: Comments/questions for January 10, 2023 Meeting

My name is Sylvia Duran and I live with my husband, Joe Wilson, at 4131 Dunbar Way, Florence, Or 97439 in Fairway Estates. I plan to attend your meeting on January 10, 2023 and would appreciate your consideration of the questions below that I am sending to you in advance.

Regarding Resolutions PC 21 39 SUB 03 and PC 21 40 PUD 02 and Tentative Subdivision and AR 21 21 SIR 14 (Site Investigation Report).

## 1. Traffic Questions:

A. Background: There have been 2 traffic impact studies done, one in 2015/2016 by Fred Wright Consulting and one in 2022 by Sandow Engineering. Neither report found any mitigation necessary. Sandow actually added in additional needs of Phase II and growth projections through 2029. The most recent study focused on the intersection at 35th and Rhododendrum, but I am unsure if the study included the entry to Fairway Estates (FE).

Question: Can you advise whether the entrance to Fairway Estates was considered?

B. Background: The FE entrance is impacted by oncoming northbound cars driving fast near the Coast Guard Road and the FE gate. There is a blind spot that creates a traffic hazard with these northbound oncoming vehicles. With 80 more homes and residents in PII, and only one gate to service, it may end up being a concern for entrance and exit. Under the statute, the Planning Director can determine that a Traffic Impact Study is necessary because adjacent neighborhoods and other areas will be adversely impacted by proposed development.

Question/s: Did the traffic impact study address the ingress/egress at the FE gate? If not, can we request that the Planning Director determine another limited study is necessary?

2. Final Staff Report - Phase II: I am asking to be copied in on the final staff report for Phase II when available. By statute it should be available to the public 7 days after the Notice of Decision is provided. According to statute I must ask to be copied in and included in the distribution.

Question: How can the public access both Phase I and Phase II Final Staff Reports? Are Staff Reports available electronically?

3. Wetlands. There is an original proposed development plan for PII.

Question: Has it been amended to address the wetlands and where can we access it?  
Question: Is there replatting for the PII development? Is it available to the public?  
Question: Has the State Lands Commission approved any wetlands mitigation offered by the developer

4. Timelines: According to statute, final development plans for PII is supposed to be approved within 2 years after PI was approved.  
Question: Has it been extended?  
Question: When is the final approval expected?

5. Oversizing: By statute (10-36-3 [D]) for development in phases, subsequent infrastructure such as water, sewer and drainage is to be taken into consideration during the previous development.

Question: Was oversizing required in PI to accommodate the needs of PII?

6. Gate between SandPines West and Fairway Estates on Royal St. George Drive.

Background: There is a gate between SP West and FE where SP West has both ingress and egress access. FE has no access. In the original easement/staff reports, the City encouraged SP West to allow access but did not require it. To date, FE has not been able to negotiate an amendment to the Easement that would allow access to FE residents. What is the process to have the City reevaluate this gate usage due to the increased residential traffic from PII (80 more homes) and the need for an emergency exit in the event of fire, tsunami or earthquake? FE does not have a designated emergency exit.

Your time and consideration is appreciated.

Thank you,

Sylvia Duran, homeowner - FairWay Estates Phase 1.



# Exhibit R2

Florence Planning Department/Traffic

Tom Faber

Concerning the Fairway Estates Phase 2-3-4

4205 Caddington Ln Florence

I was looking at the Traffic Study provided with the original application for approval for preliminary PUD, tentative subdivision and associated SIR for Fairway Estates Phases 2-3-4 and have a few questions. As I opened the Traffic Study as an attachment and the cover sheet showing as page 1 of the attachment my questions began with the data on;

Pg. 9 it's a table regarding crashes but the asterisk at the bottom indicates "crashes/million entering vehicles". Were they looking at crash rate percentage of how many cars out of a million? Is it reasonable to believe that there has not been any type of crash in the last 5 years at Rhododendron and 35<sup>th</sup>?

Pg. 15 Re: in progress development..."To be conservative a growth rate of 1% was used". Should the growth rate used have been conservative? Is it realistic? Is it unfairly low to the developer's advantage?

Pg. 24 Re: findings..The addition of the development does not trigger mitigation....does not increase queuing conditions. The site accesses (pl) will operate safely. The site will have safe and adequate access for pedestrians and bicycles to and within the site. They are referring to 35<sup>th</sup> and Rhododendron! It is definitely not safe to walk or bike from there to Tournament. There are no improvements, no bicycle lane or sidewalk and the weedy area is dangerous to dogs, bike tires and people's feet. It is loaded with "goat heads"! Are these findings conclusive based on accurate and reasonable data?

Pg. 31 The city referenced is Veneta Date Feb 2022

Pg. 35 The city referenced is Veneta Date Feb 2022

Pg. 41 The city referenced is Florence Date August 2020 (covid restrictions)

Pg. 45 The city referenced is Florence Date October 2022 All the above data was used in the same study. Is this data consistent and reliable?

Pg. 52 The Seasonal trends table includes the following foot note refers to covid conditions and states, "The 2020 table is based on 2019". Then 2020 should not have been used in the study anywhere.

Pg. 54-57 Estimated trip distribution date August 27 2020 see above question.

Pg. 59-109 queuing and blocking report of fifty pages based on the dates of Jan 5<sup>th</sup> 2022 ( Sunday) and Jan 6<sup>th</sup> 2022 (Monday) Is this a reasonable time frame for this study?

I am not a Traffic Engineer, just a common lay person and this report left me confused and questioning its validity. I feel fortunate that I can rely on those persons at the Traffic Department to look this study over and confirm its validity or that I am just a lay person and totally misinterpreted it.

Thank You

Tom Faber



# Exhibit R3

To the Florence Planning Commission

Concerning Fairway Estates Phases 2-3-4

Tom Faber

Florence Or. 97439

I am writing today to ask the Planning Commissioners to deny the application seeking approvals for the preliminary PUD, tentative subdivision and associated SIR for Fairway Estates Phases 2-3-4. The Fairway Estates at Sand Pines West project has been in development for almost 20 years. It has had multiple developers and changes over that time. It has also had multiple issues. It is in the best interest that the developer, the city and the prospective home purchasers all have a clear understanding of the requirements and expectations. The current application fails to meet the criteria of several sections of the Florence City Code as listed below and should be corrected before continuing.

## Chapter 34 and subsets (Preserving the Natural Beauty of Florence)

Is the development going to conserve, enhance and be compatible with the Coastal Village Character of Florence? While the original plat included substantial areas of natural beauty, the current proposal indicates continuing with the clear cutting (a majority has been done, purportedly in error already. Any future vegetation clearing permits should follow 10-34-2 and include a Type 2 review to avoid violations of 10-1-1-6-2). The proposed plat has maximized the areas for homes but eliminated all the features that give Florence its character, including Open Space.

## Chapter 10-1-1-3

The City of Florence' definition of Open Space states they "may include natural lands such as wetlands". There is an area that has been researched and defined as a wetland in the northeast corner. The developer has applied for a Removal-Fill permit. Denying that permit will encourage preserving the natural beauty and provide an opportunity to include the wetland in the required recreational Open Space, 10-23-5. The application also contains language regarding the "nature trails connections" shown as running along the rear of most properties including those on the west side adjacent to the Mariners Village neighborhood. This area is currently a well-developed living "Green Screen" separating the two developments. The applicant is indicating they will cut down portions of the vegetation to create these "nature trail connections". Attempting to walk/hike directly behind multiple homes will result in a sense of trespassing as we disturb those people's privacy and pets. It is apparent that the residents will not be willing to use these "connections". Residents in Phase 1 and their future neighbors in Phases 2-3-4 will continue to use the sidewalks and streets to walk to get their mail, to stop and visit with their neighbors who are sitting on their front porches and to walk their pets. This makes us a village. We need an Open Space that is inviting, easily accessible, including for strollers, folks with walking aids and even wheelchairs. The developer may have to give up a prime lot or two but the result will be a more attractive, desirable and livable neighborhood that complies with the City's clear requirements.

The Oregon Planning Commissioner Handbook explains that Planning is about making decisions. Those judgements may be about community priorities, or about housing needs, natural resource protection, or appropriate widths for local streets. Whatever the content of the decision, they are primarily about making effective, efficient, and appropriate determinations that achieve the desired results. Planning is



therefore a decision-making process. I hope that you will seriously consider the things I've written here and encourage the developer to make our "Pocket Park" a reality. The "Nancy Pearson Park" has a nice ring to it.

Thomas M. Faber

**From:** Renee LoPilato  
**Sent:** Saturday, January 07, 2023 2:28 PM  
**To:** Planning Department  
**Subject:** Fwd: Fairway Estates Phase 2 Review on Jan. 10

## Exhibit R4

Below are comments submitted for consideration by the city staff of the Planning Dept. before the Jan. 10th meeting whose agenda includes the review of the Preliminary PUD and the Tentative Subdivision Plan of Phases 2-4 for Fairway Estates:

1. Since April, 2022, my wife and I have lived at 410 Tournament Drive in Fairway Estates Phase 1. Phases 2-4 propose a similar development of expensive, custom homes of 42 houses; given the stated wishes of both the citizens of Florence and the city council's often repeated need for "affordable housing" within city limits, I urge the Planning Dept. to either block or reduce the size of these second phases.
2. The current traffic analysis for Phases 2-4 does not include the dozens of daily trips by contractors, construction workers, cement trucks, and all the other required personnel to sell, develop and service a development of this size over the next few years. As currently proposed, all of us already here, and all of those entering and exiting from the adjacent Sandpines West HOA and all future traffic have only one access and exit through the gate at the end of Tournament Drive. In the event of one lightning strike, one fire, tsunami or a necessary evacuation, all of us will be trapped at the front gate accessing Rhododendron Drive. I strongly suggest an updated analysis by the city staff to include these factors.
3. It appears that Phases 2-4 do not offer any access to open spaces, bike paths or nature trails for future residents. That is also consistent with the development of Phase 1.
4. It appears that there has been extensive removal of native trees and shrubs by the developers in violation of city codes. How will sand/soil be prevented from blowing across the 10 acre lot into new homes and into nearby developments that surround the new development? Can the planning department require replanting of that landscape to contain soil erosion, expand carbon sinking and offer some mitigation to offset habitat destruction?

Lastly, we thank the city Planning Department and staff for their comprehensive review and careful scrutiny of this proposed development and look forward to watching the process go forward.

Renee LoPilato

Karen Stanley



Florence OR. 97439

(Fairway Estates Phase 1)



# Exhibit R4 a

**Feb. 2, 2023**

**To: The City of Florence Planning Commission**

**From: Renee LoPilato, Homeowner, Fairway Estates, Phase 1**

**410 Tournament Drive, Florence, Oregon 97439**

**Re: Testimony Submitted for Consideration at Feb. 14, 2023 Meeting**

**I am submitting 30 photographs of Fairway Estates Phase 1 focusing on the designated open spaces and proposed nature trails as featured on the entrance sign and in the marketing materials; I hired Curt Peters, owner of Digital Dunes Photography, to take these pictures on Jan. 26, 2023. The Phase 1 developer is currently applying to the commission for approval to proceed with the new development of Phases 2-4 and is submitting plans for open spaces and trails there as per the city code.**

**The photographs are arranged by areas 1-5 following the outline of the entrance sign as follows:**

**Area 1 at front, open space and a designated "nature trail", (seven pictures);**

**Area 2 designated open space next to lot 31, (one picture);**

**Area 3 designated open space and a circular "nature trail" behinds lots 28-31, with access path through lots 28-29, (five pictures);**

**Area 4 view from end of Caddington Lane to the golf course, proposed start of Phase II according to entrance map, (one picture);**

**Area 5 pictures documenting the long designated open space and matching "nature trail" including the two access paths; the pictures end with a path leading back to Tournament Drive, (15 pictures).**

**Conclusion: As documented in all areas, there are no nature trails as described in the open space areas; in Area 1 there appears to be an animal trail but nothing else; in Area 3 the access path between homes is maintained by homeowners and there is no circular trail behind the homes at the bottom of the berm; in Area 5 the trail is actually a rutted, uneven drainage ditch and does not have an access path to homes nearby on the cul-de-sac.**



Lastly the developer's website for Fairway Estates Phase 1 lists "walking the nature trails" as one of the amenities for homeowners, just as the map and materials were highlighted in April 2022, when we purchased our home; the open spaces and access to several walking trails were the primary factors in our deciding to purchase a home in the development. Otherwise, we would have settled somewhere else in Florence.

Therefore, I strongly suggest that the Planning Commission closely scrutinize this developer's proposals for further similar development in Phases 2-4.

# Fairway Estates

info@fairway-estates.com  
541-997-4000

Phase I  
Lot Numbers & Square Footage\*

**Key**

- Fairway Estates Open Space
- Golf Course Fairway
- Golf Course Open Space
- Nature Trails



area 3 - path maint. by Homeowners

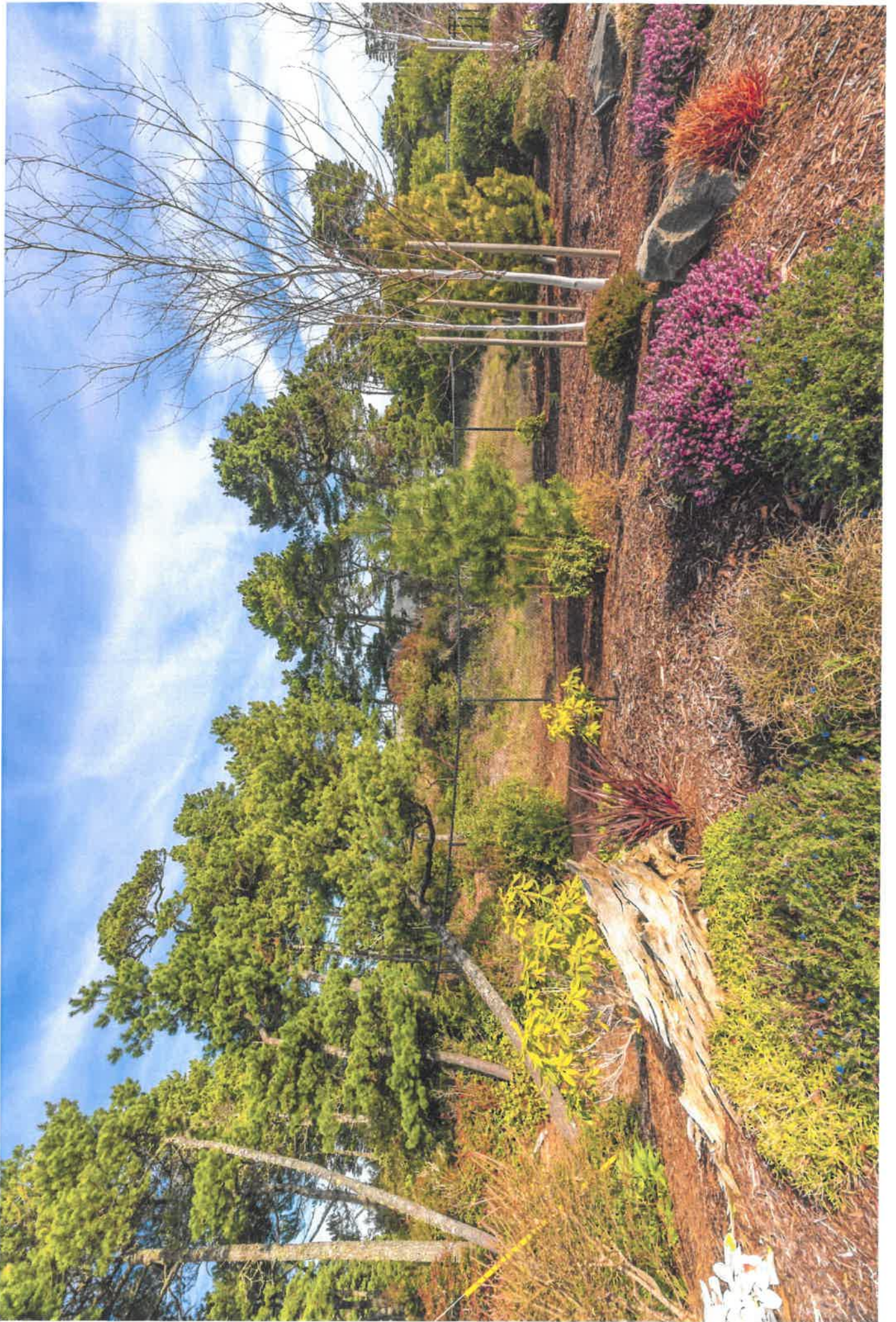




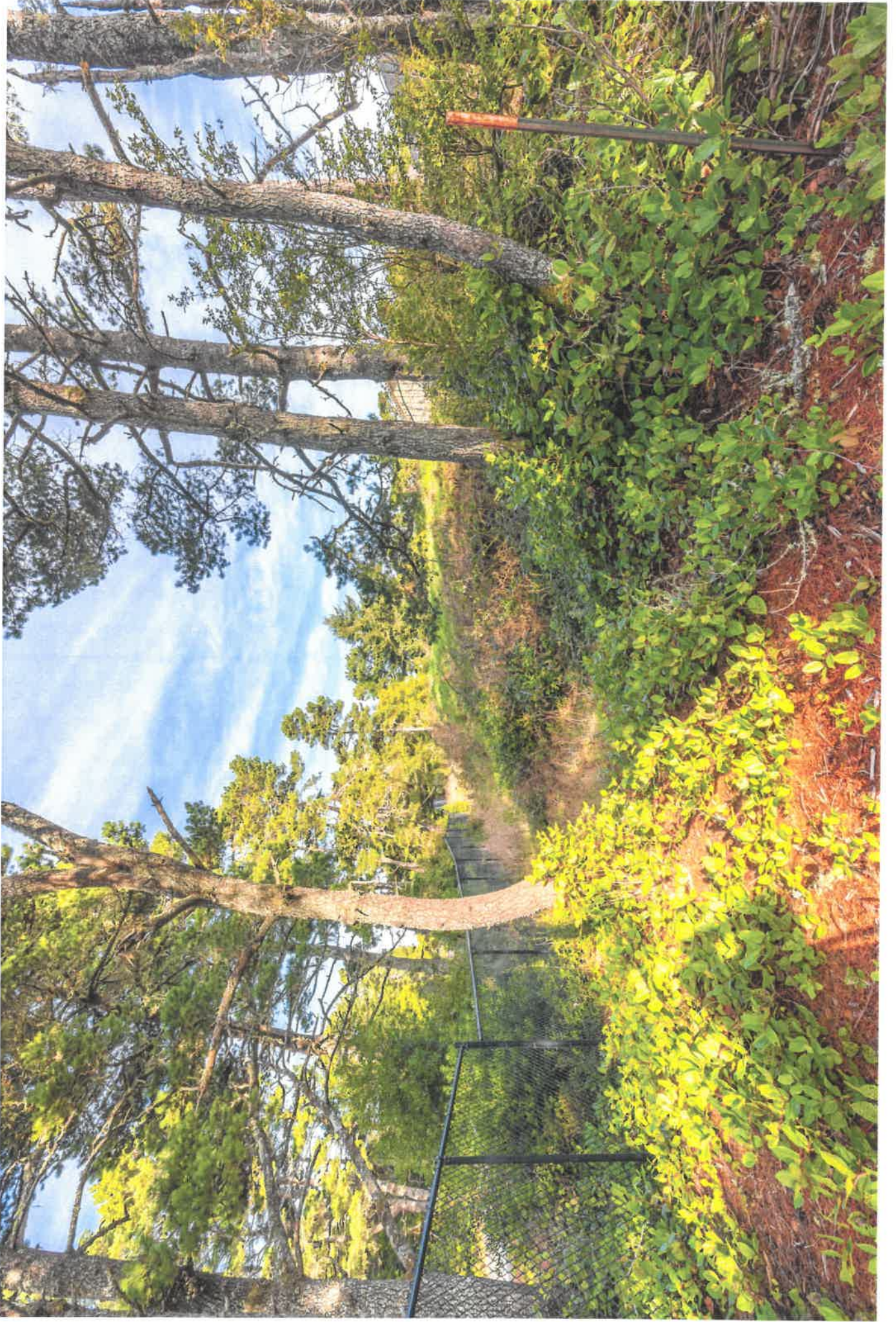




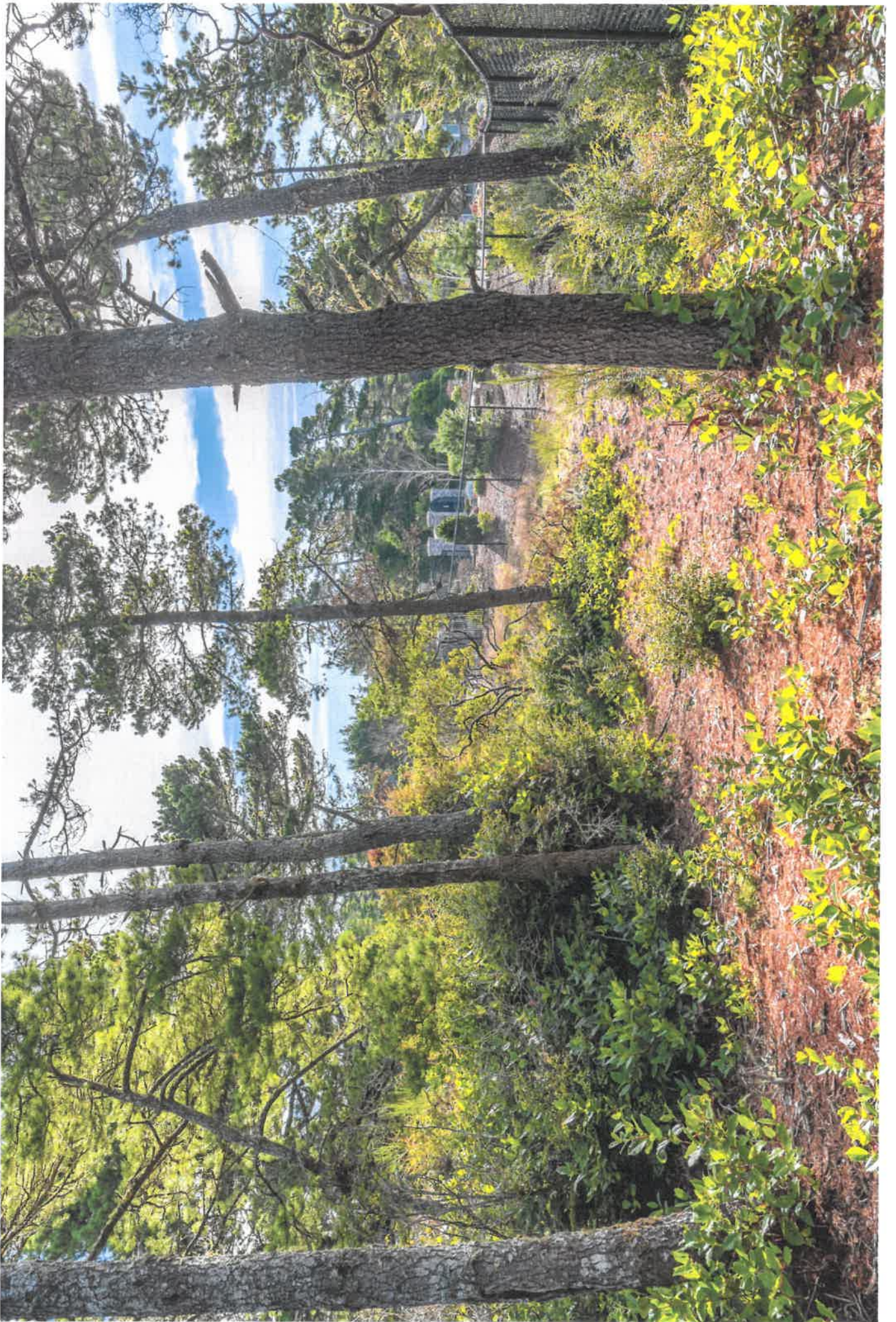








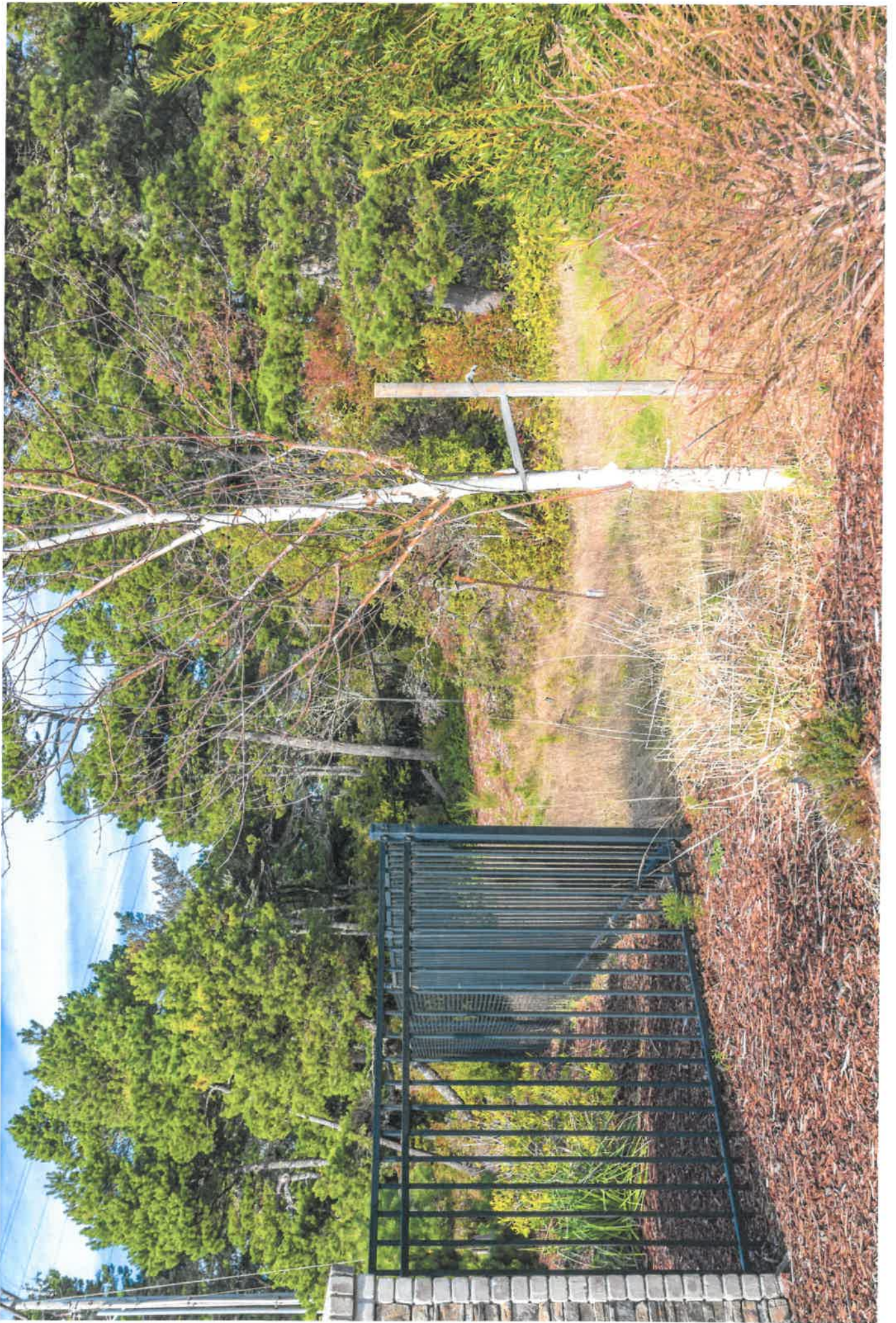






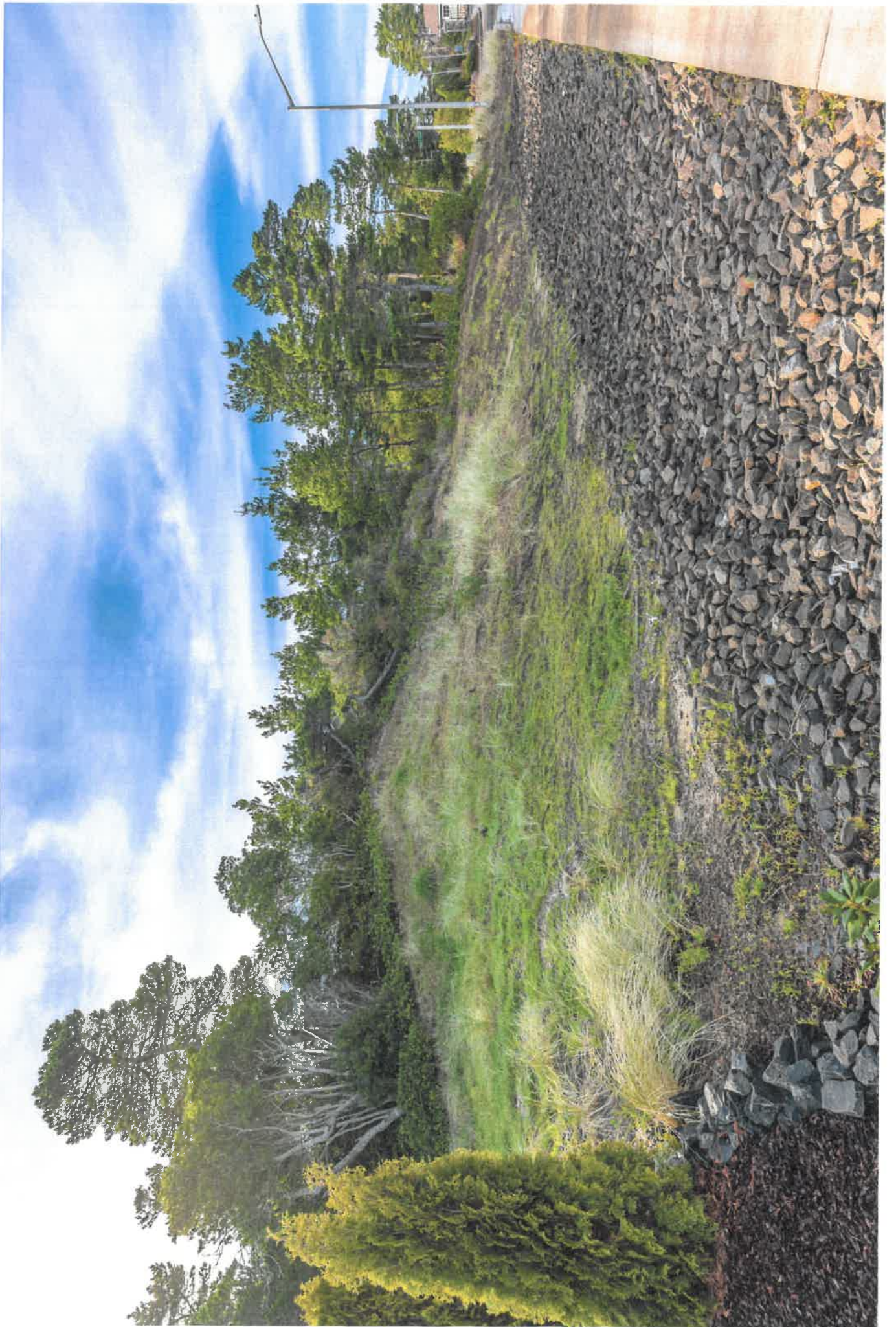




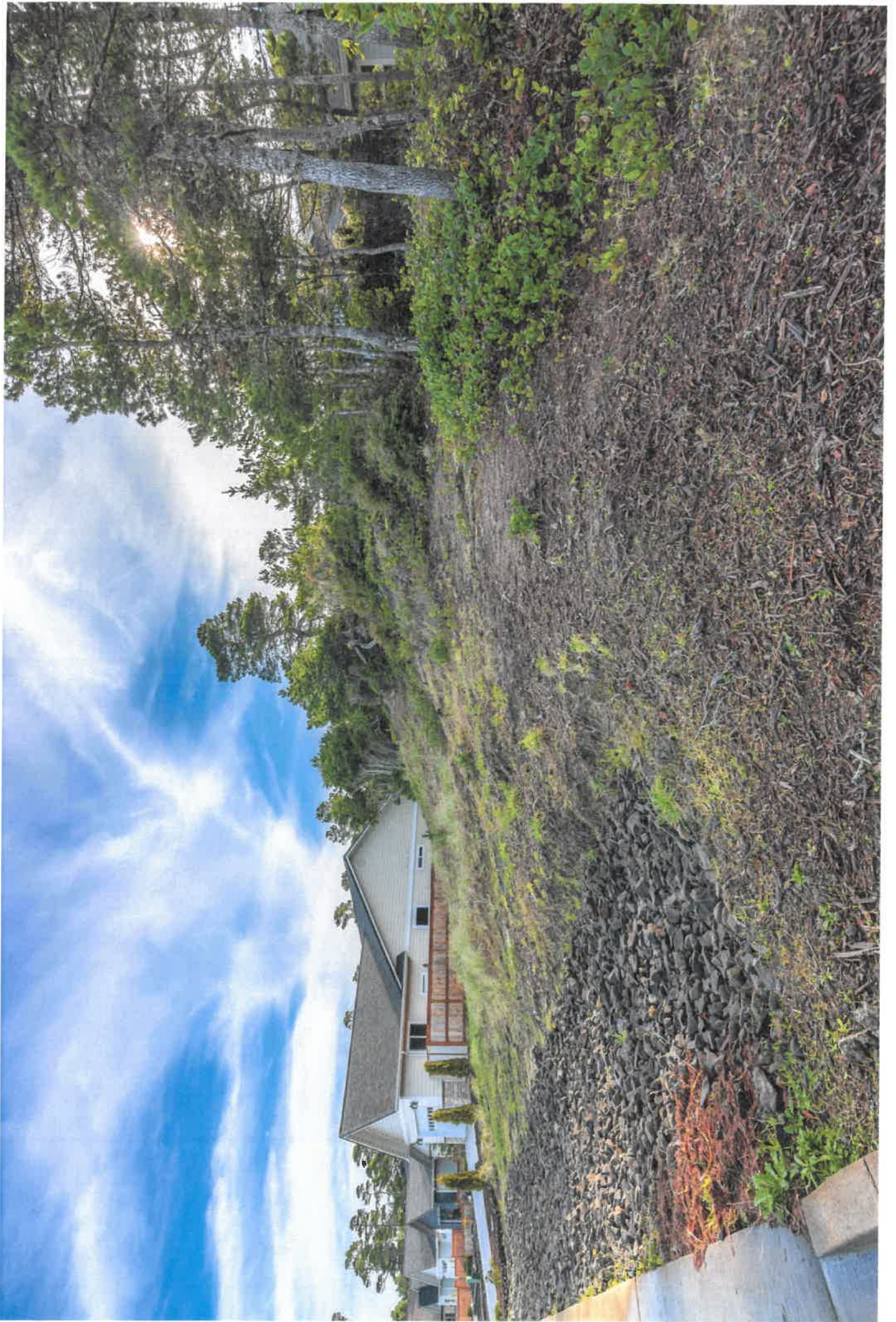










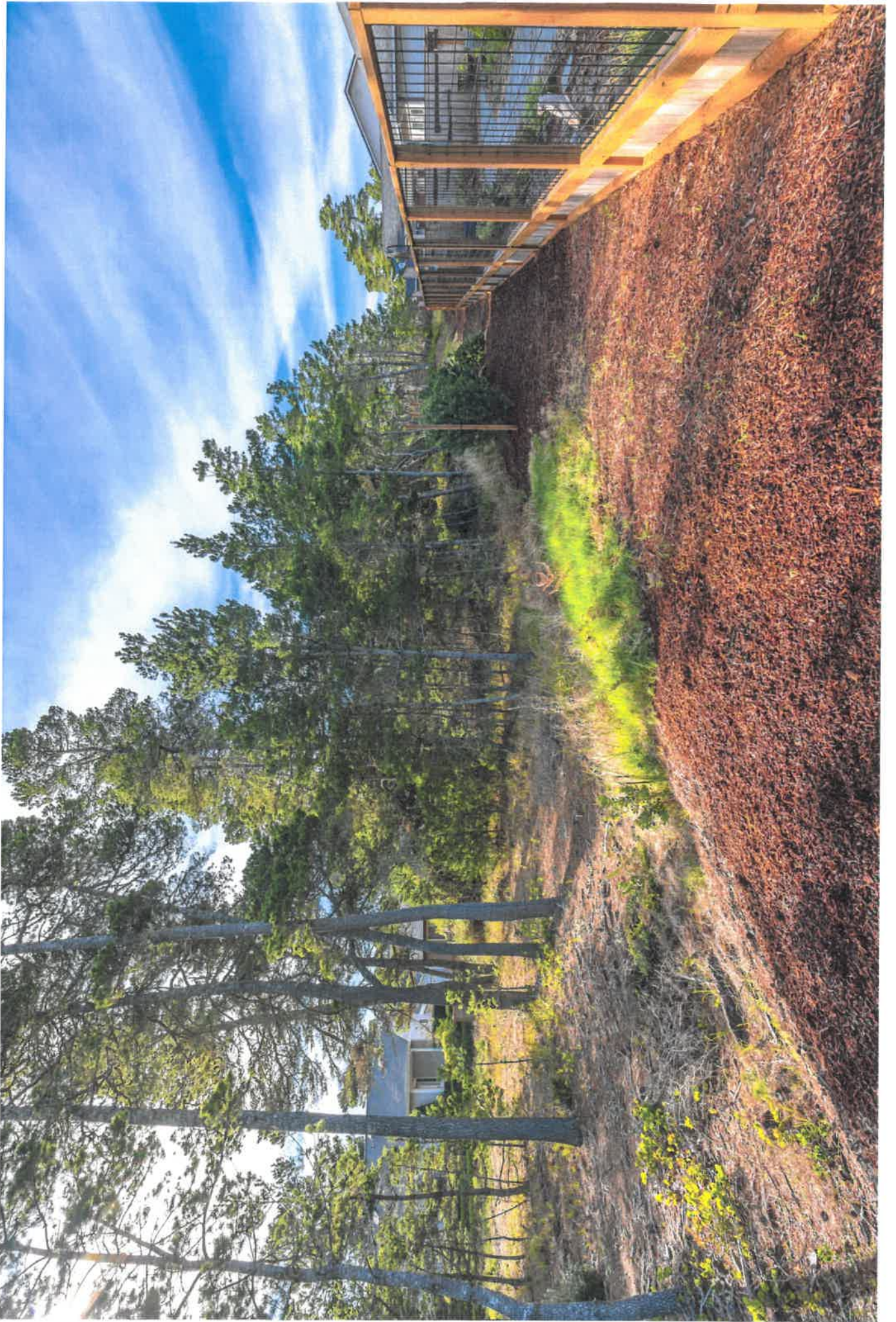












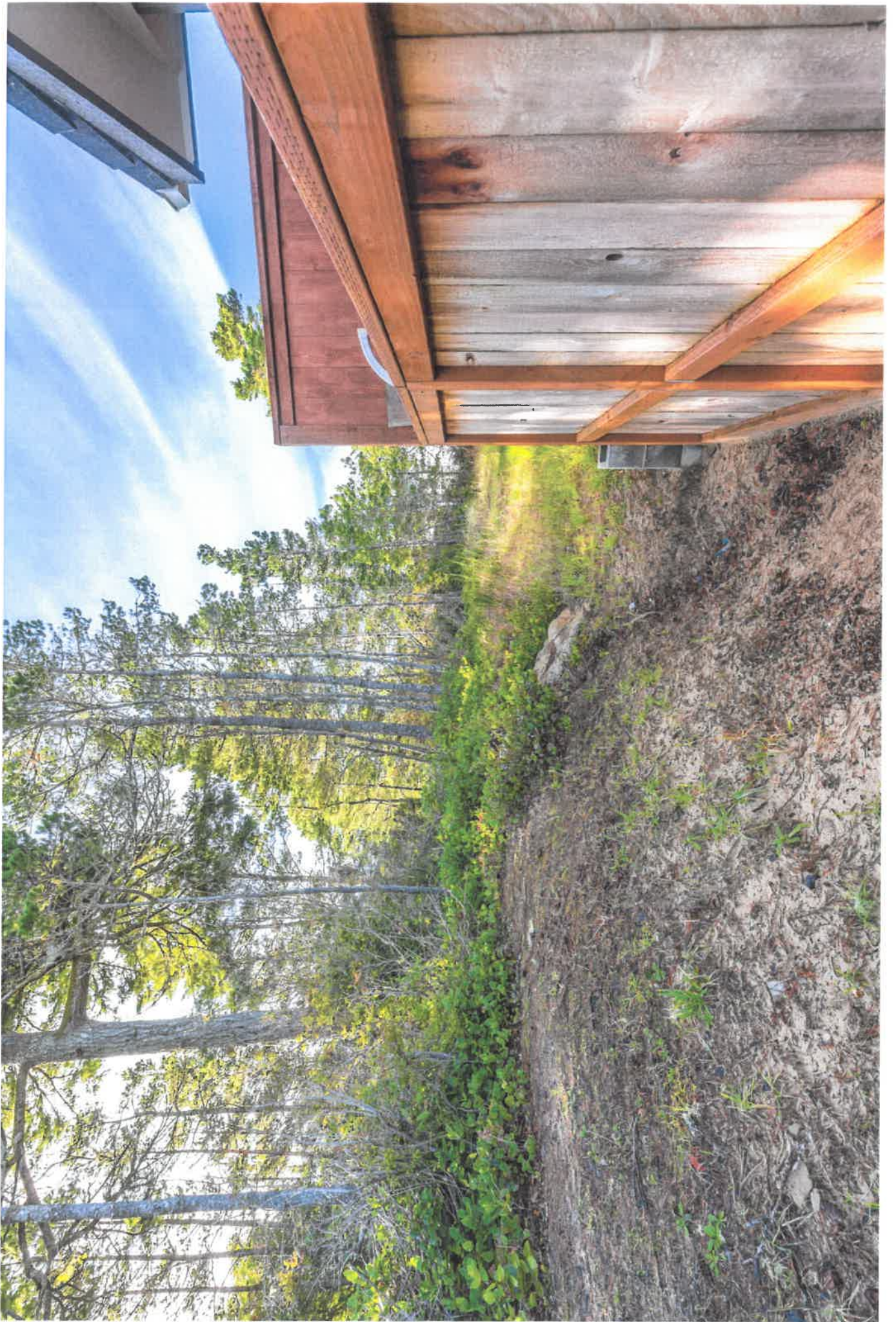
















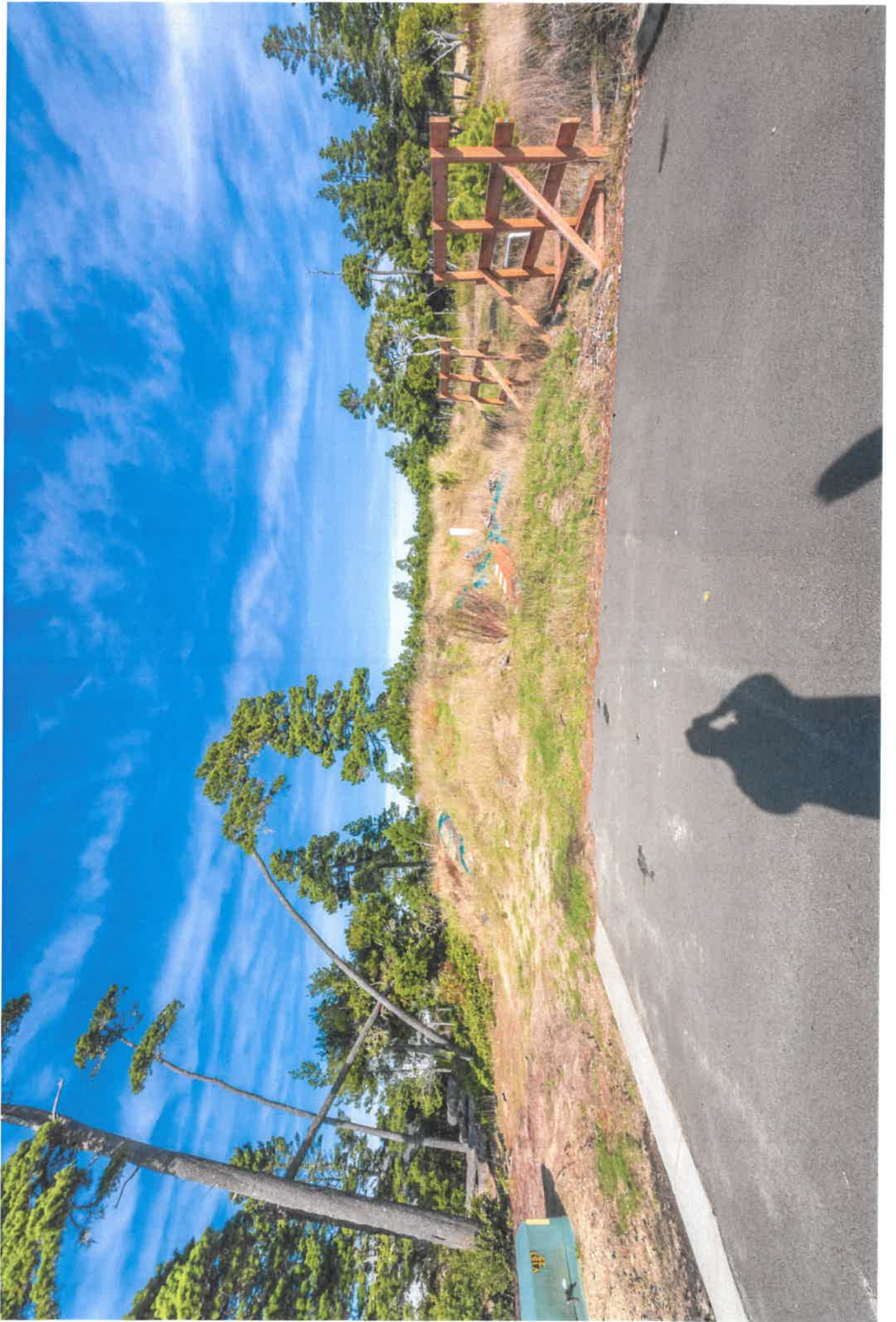




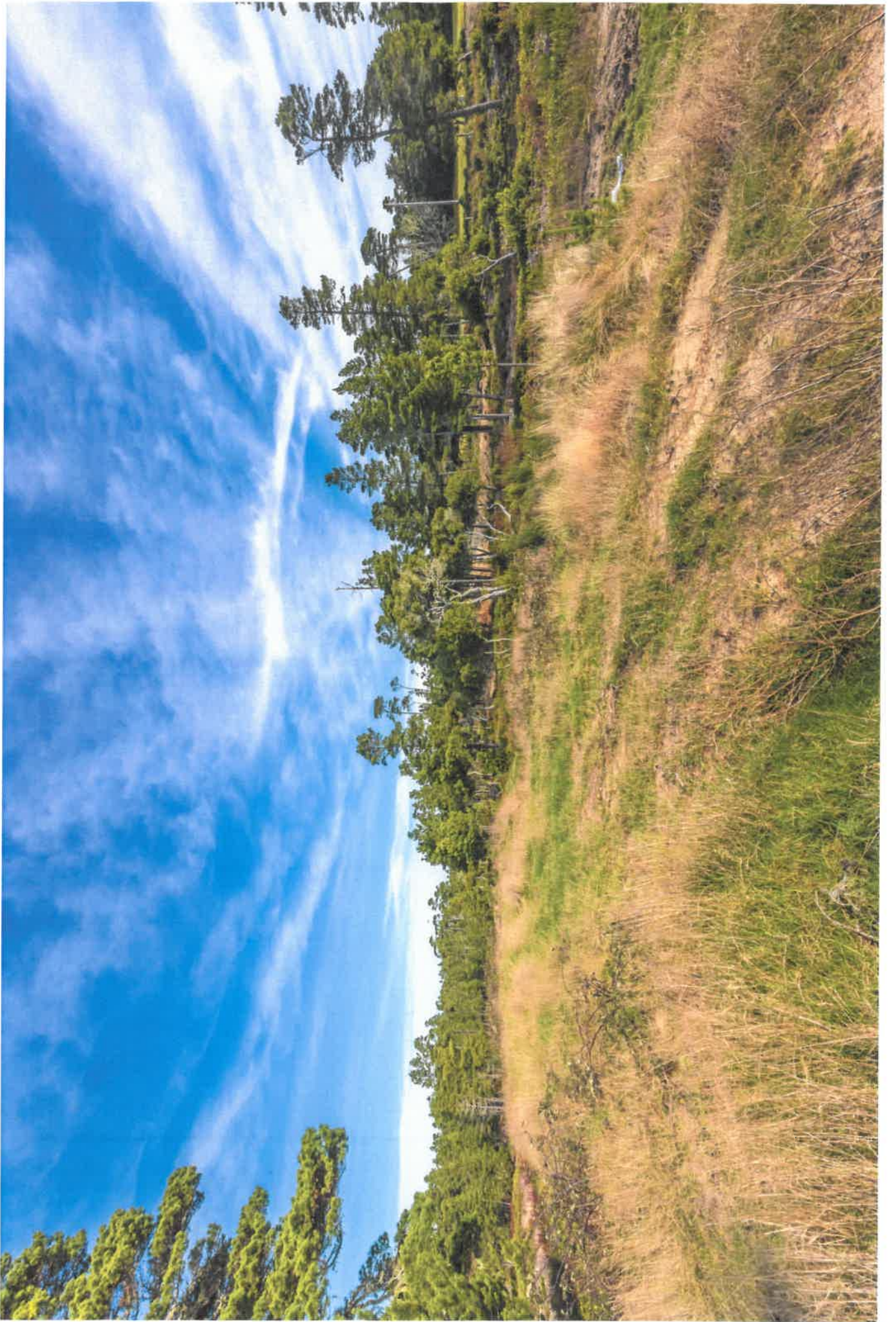




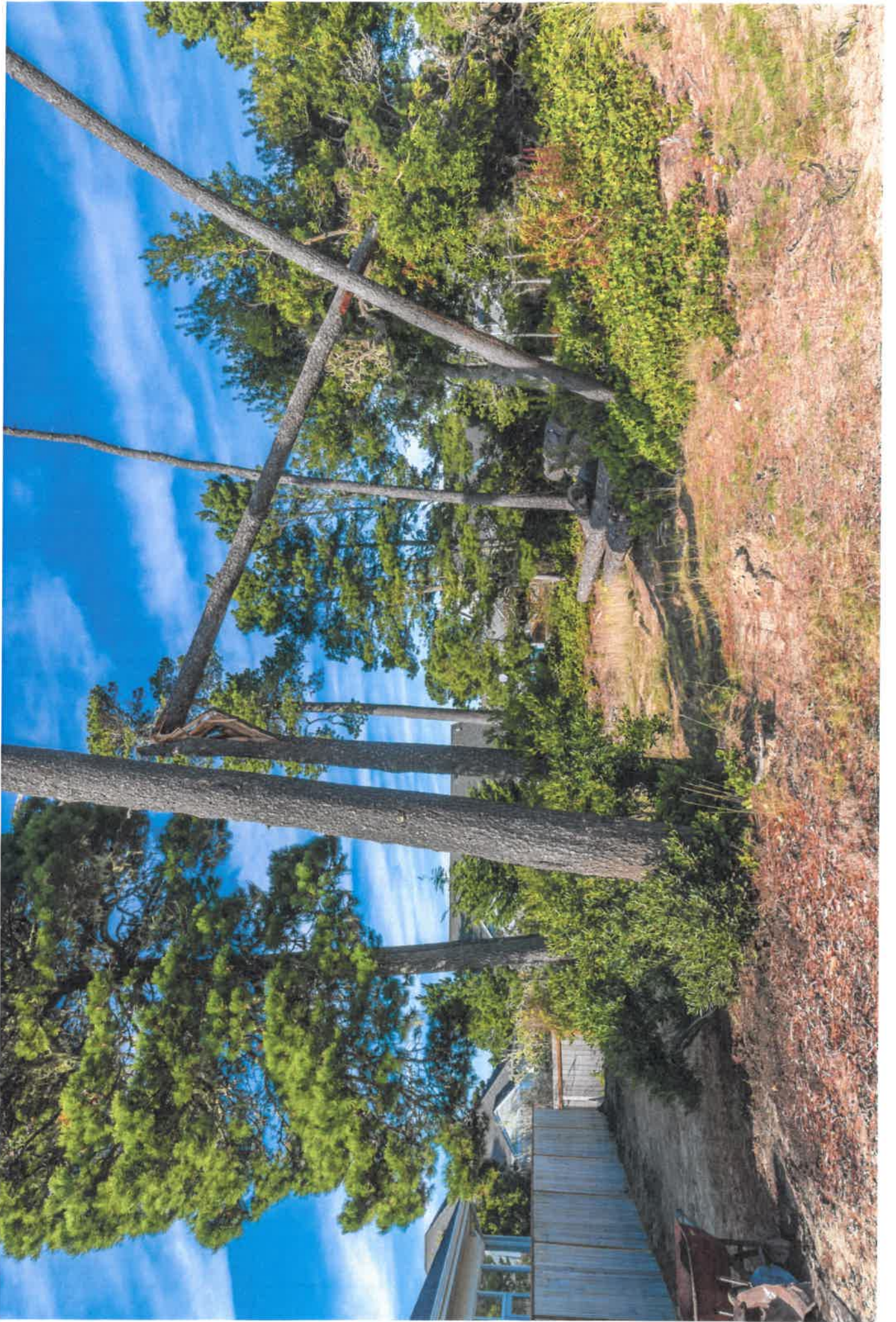




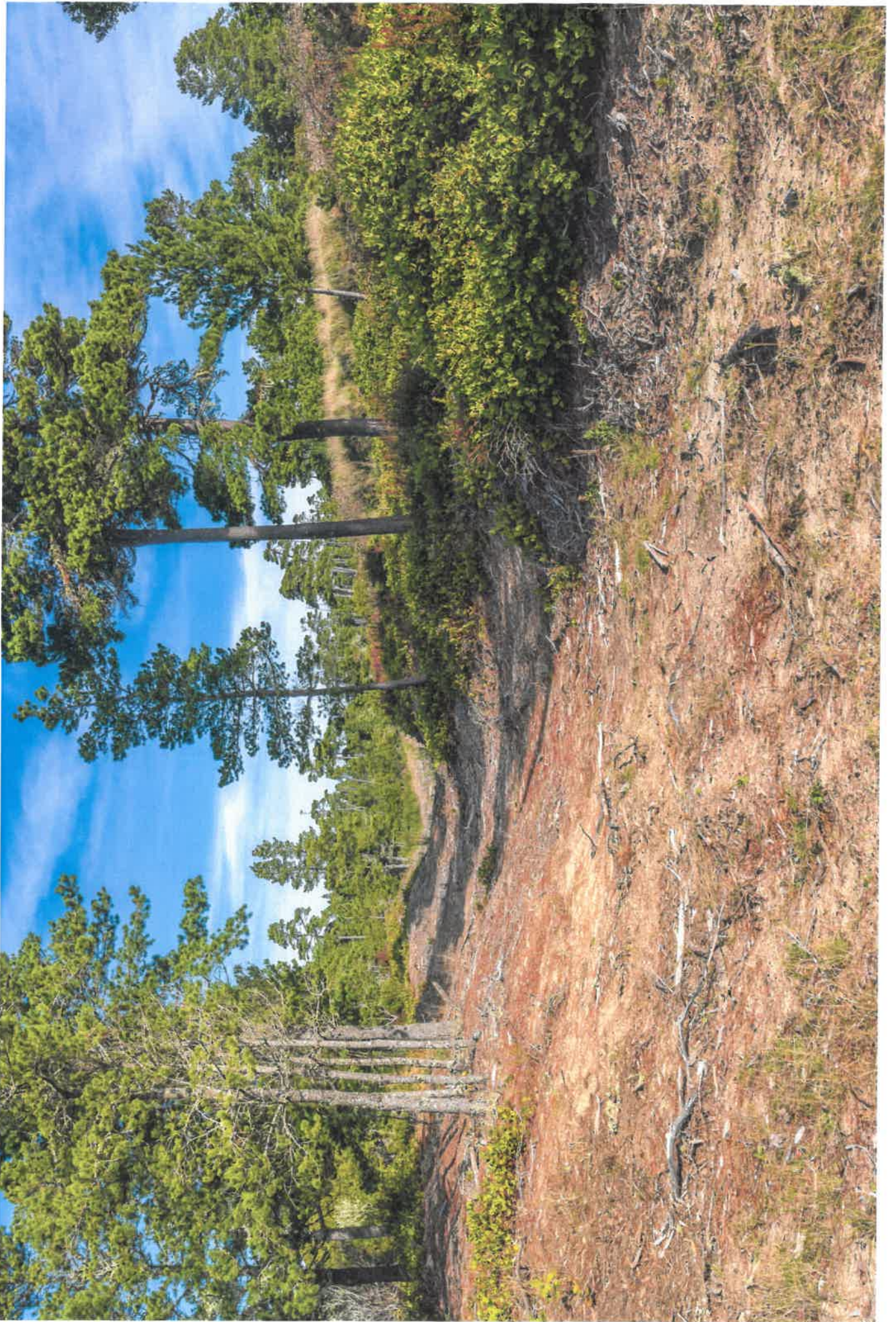




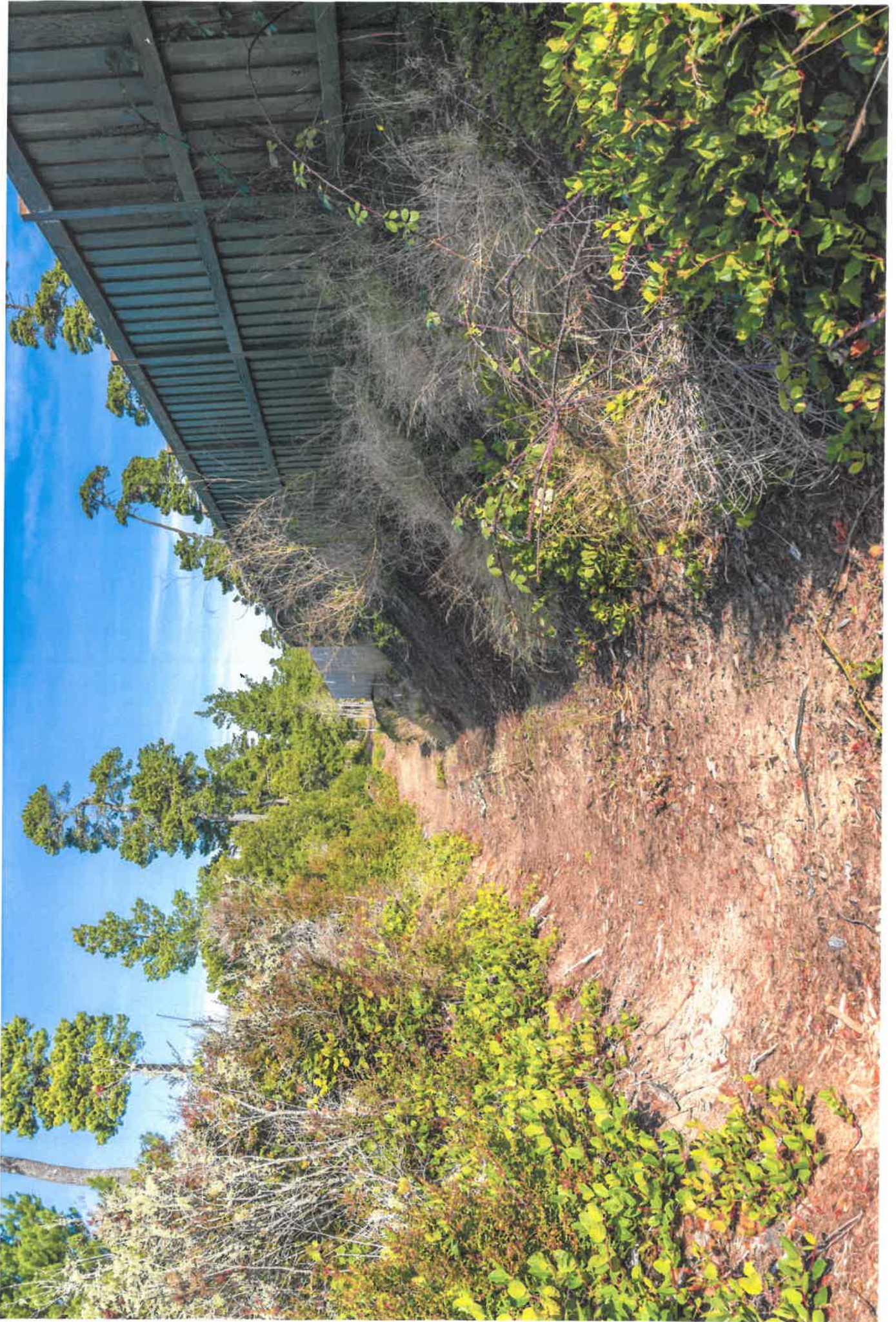








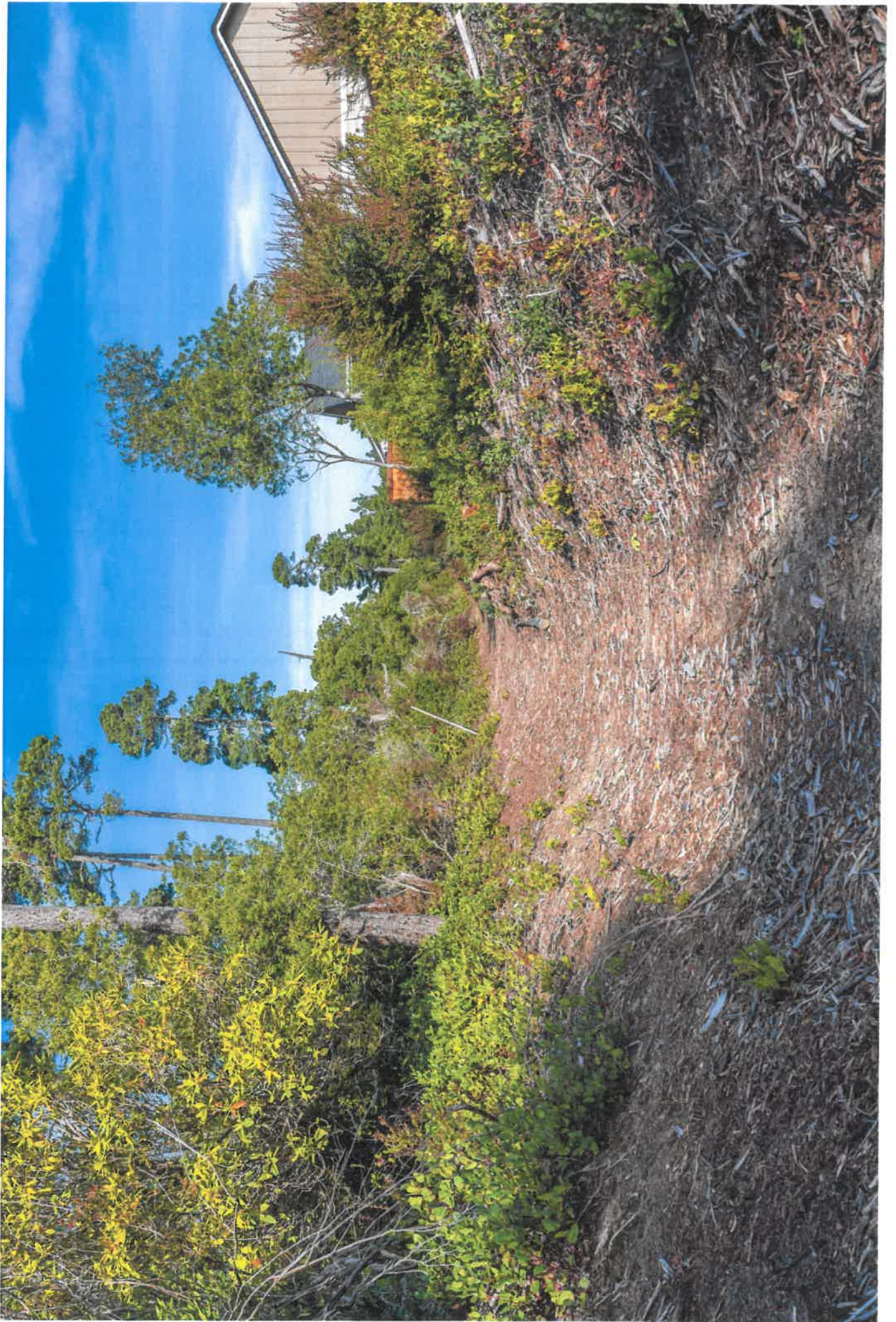








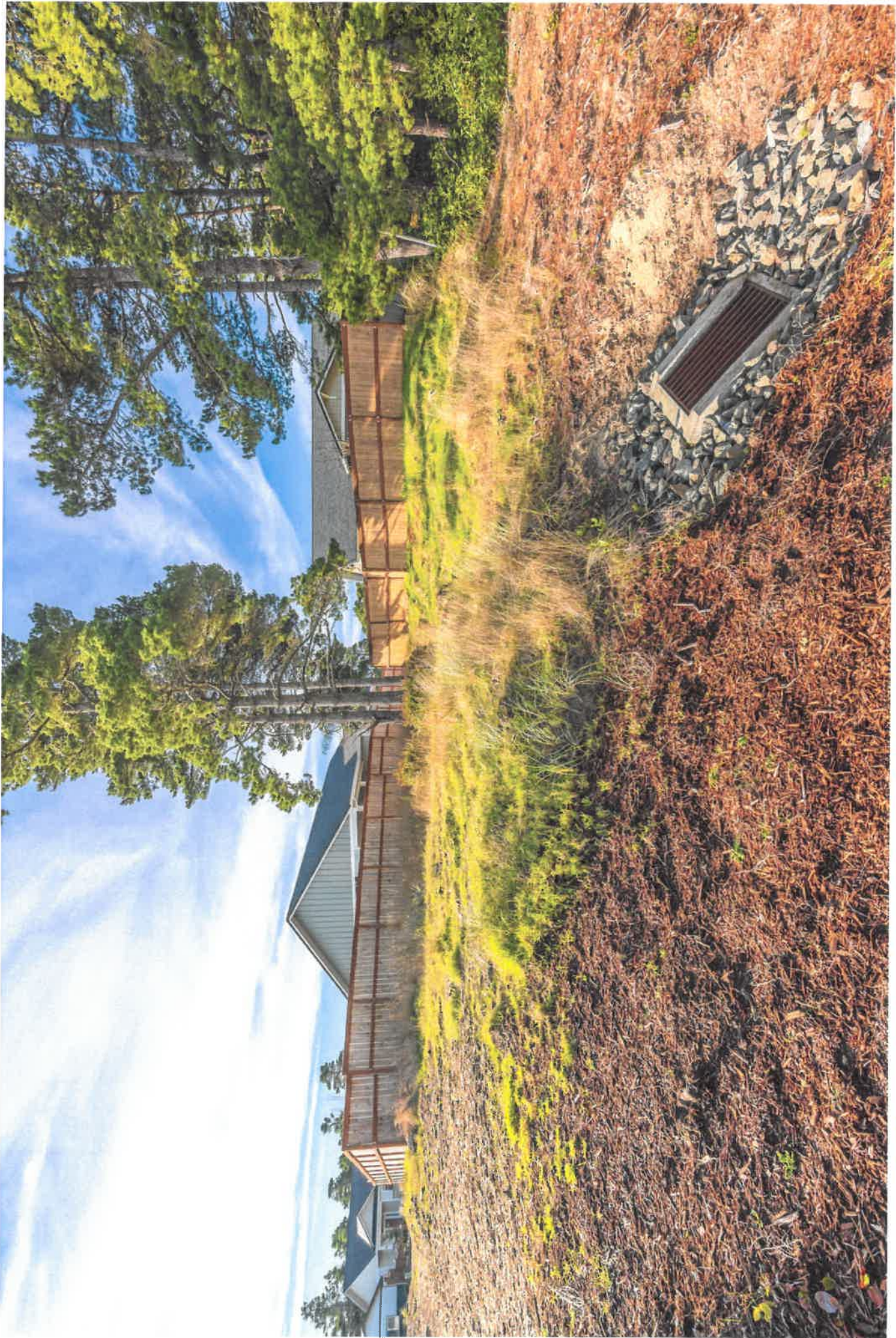




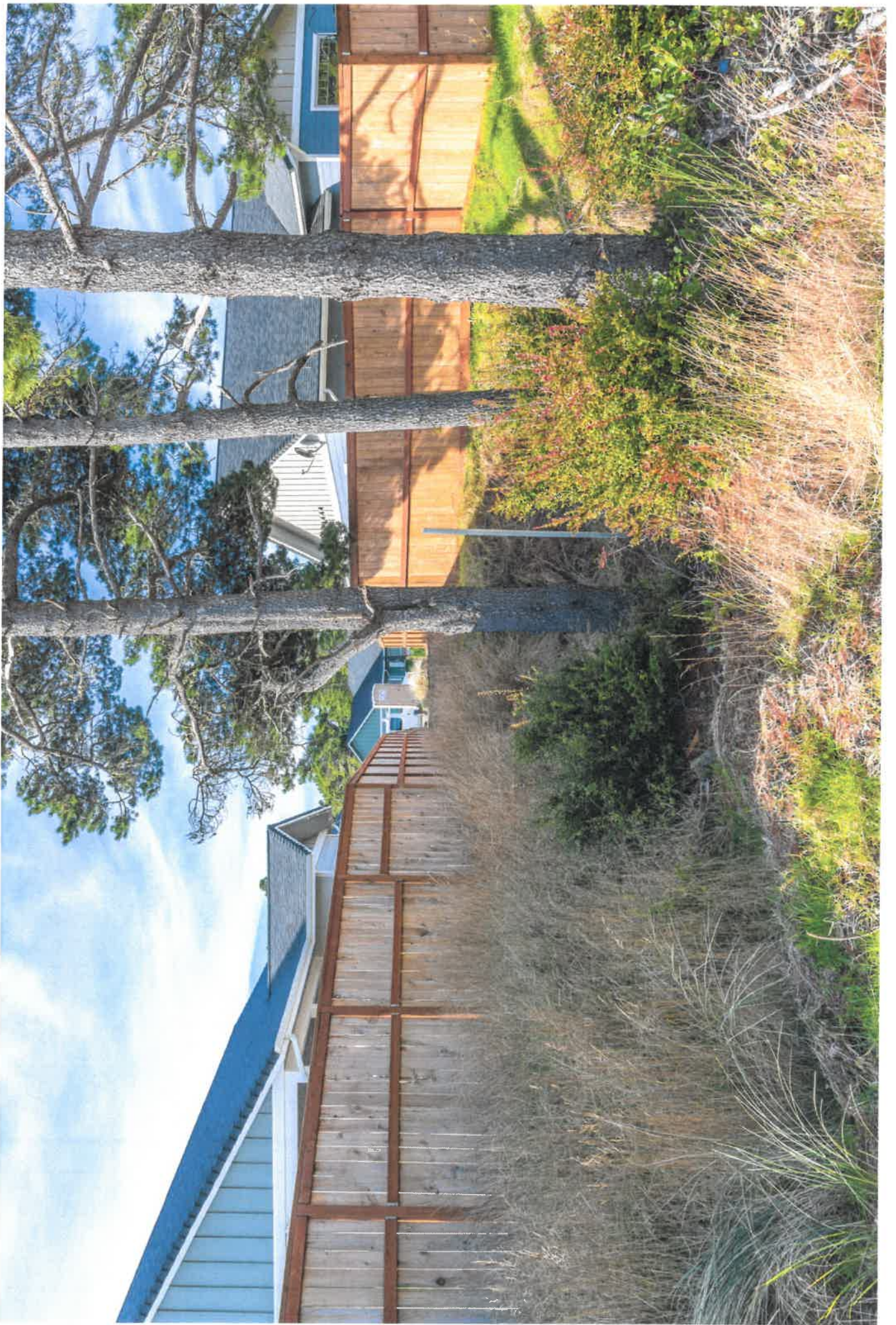




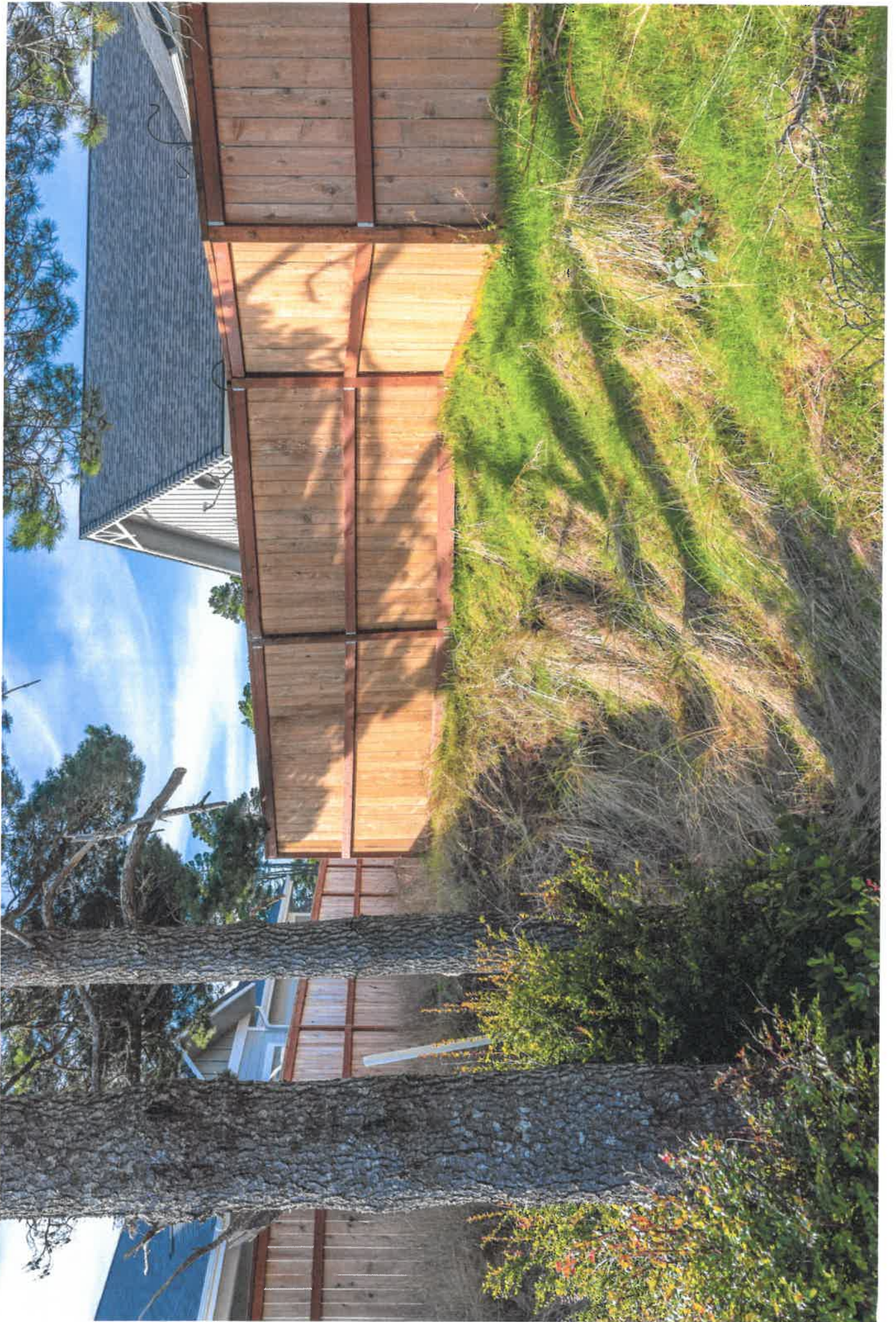




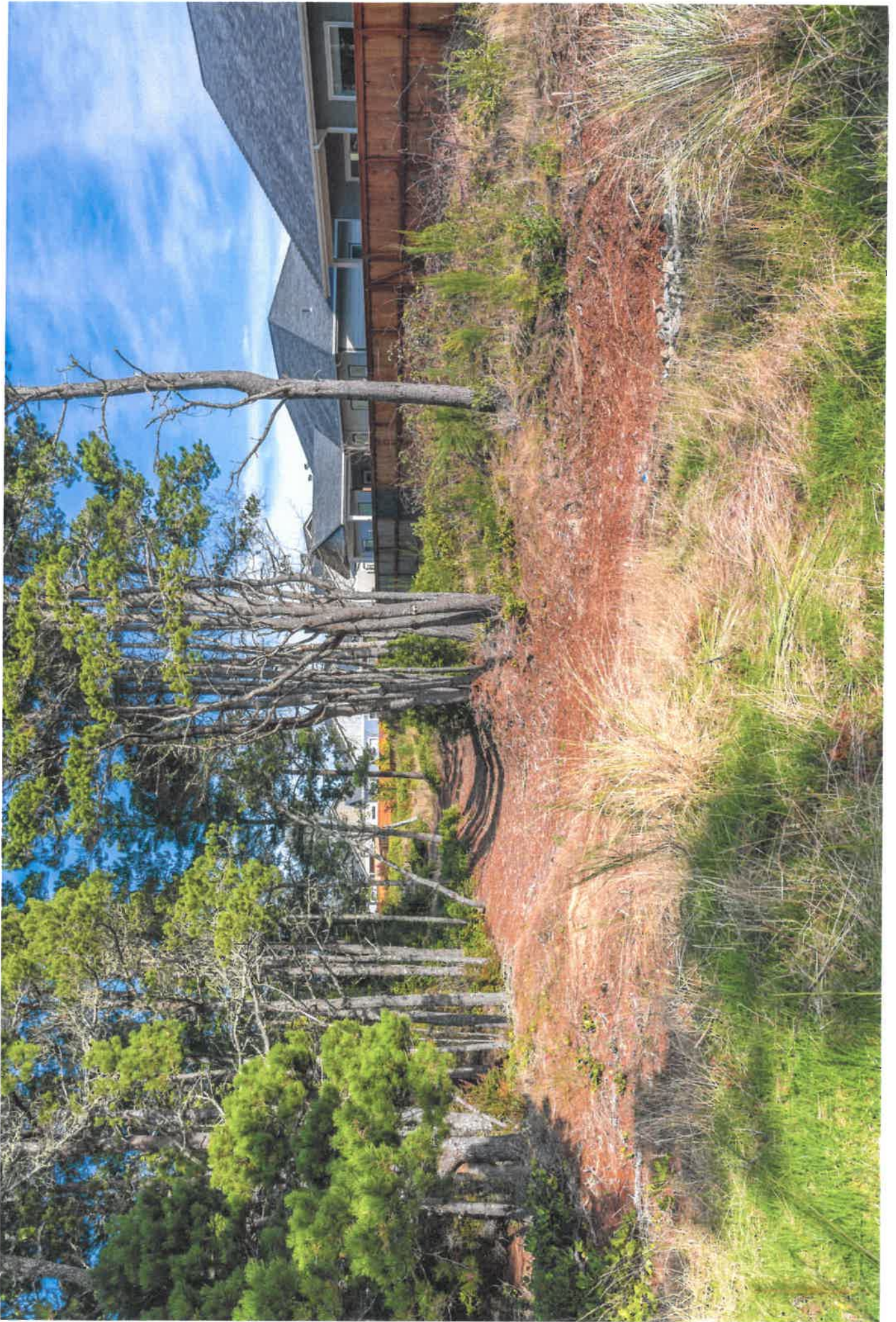




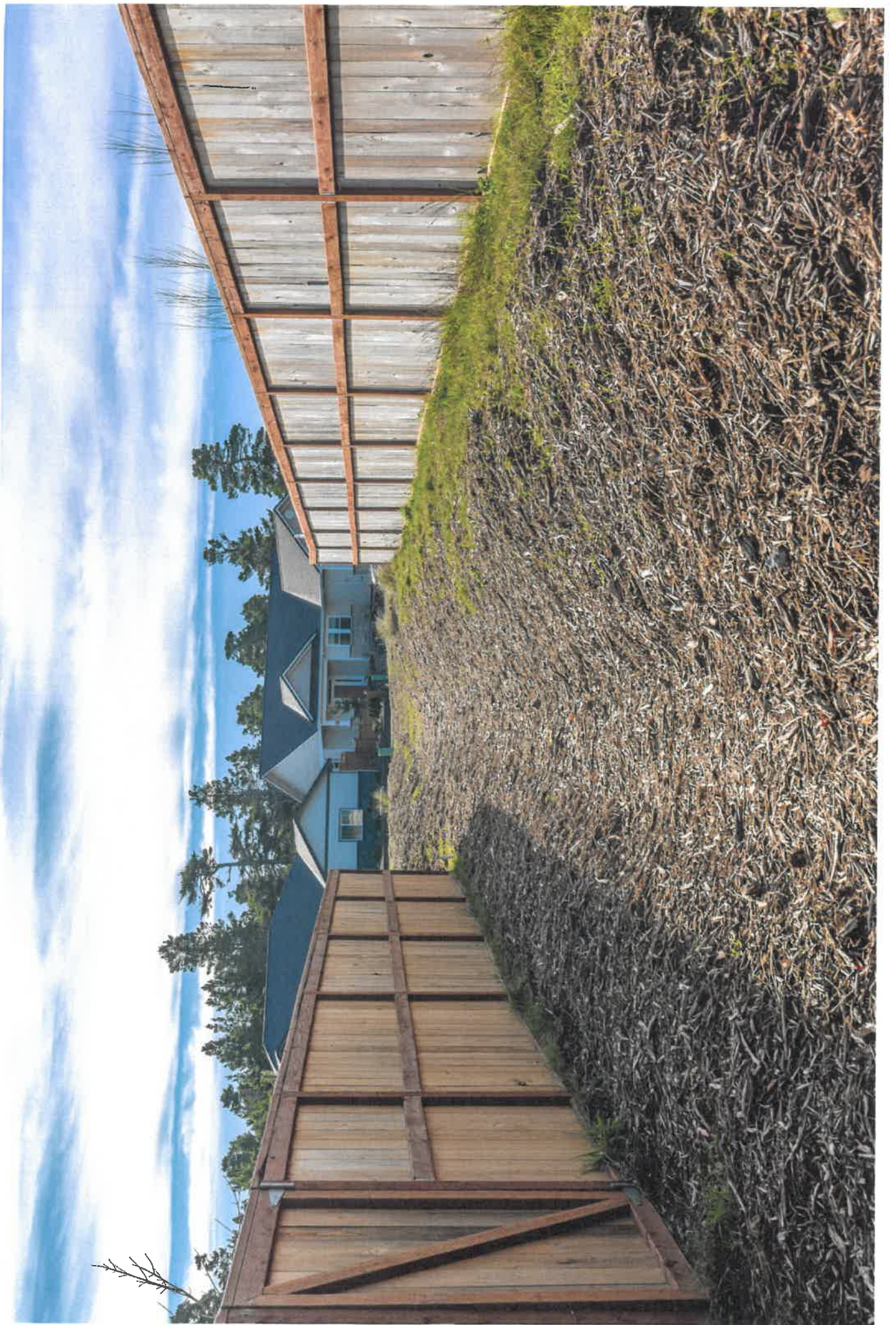


















**Wendy Farley-Campbell**

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**From:** Renee LoPilato [REDACTED]  
**Sent:** Saturday, March 11, 2023 8:13 PM  
**To:** Wendy Farley-Campbell  
**Cc:** Karen Stanley  
**Subject:** Re: Written Testimony for the PC 3/14/2023 Meeting

Please correct my error in sentence #2, the last PC meeting was 2/28/23 NOT 3/28/23. Or perhaps black out the date in the testimony.

Thank you Wendy. Sorry for my mistake.

Renee LoPilato

On Sat, Mar 11, 2023 at 7:28 PM Renee LoPilato [REDACTED] wrote:

To: Planning Commission Members

From: Renee LoPilato  
K.S. Stanley  
Homeowners, Fairway Estates Phase 1  
Tournament Drive, Florence

Re: Agenda Item #4 Fairway Estates PUD Resolutions &  
Site Investigation Report

We have watched closely as this agenda item has been delayed repeatedly due to the developer continually submitting required city code documents after the stated deadlines.

At the end of the last PC meeting, (3/28/23), the developer took the opportunity to respond to the proposed 46 city conditions. He questioned why paved multi-use paths should be ADA compliant for residents in wheelchairs? However many disabled residents may or may not be in wheelchairs but all want the chance to access an even paved path for exercise.

He also questioned why there would be any need for additional lighting because he doubted any residents would want to walk at night. But some residents prefer to walk with fewer vehicles at night in a lighted, secure, gated community.

Lastly, he questioned why he would be required to replant any trees even though he previously violated city vegetation code by cutting too many down. Trees are needed for shade, privacy and habitat for wildlife.



This type of persistent resistance from the developer characterizes his actions for many aspects of Phase 1, and we believe that this resistance will only continue throughout the construction years of Phases 2-4 in Fairway Estates, consuming the precious time of both the commission and the city staff and ultimately frustrating the new homeowners.

Therefore, we strongly urge the Planning Commission members and city staff to vote to DENY this PUD from further advancing; if that is not feasible, we recommend REDUCING the size of the new development by 50% and requiring that the remaining half be devoted to open space/paths that both Phase 1 and Phase 2 homeowners can access and utilize, all at the developer's expense. The fact that this developer has agreed to pay a fee in lieu of setting aside the required amount of open space clearly marks an intention to disregard the needs of homeowners wanting the promised paths to move about in the new community.

Building subdivisions in Florence should be a privilege that is earned by consistently adhering to all relevant city codes and prioritizing the concerns and well being of the new community homeowners over the profit margins.

Respectfully Submitted,  
Renee LoPilato  
K. S. Stanley  
3/11/2023

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"We shall not cease from exploration, and the end of all our exploring will be to arrive where we started and know the place for the first time."

T.S. Elliot, "Little Gidding", Four Quartets



**From:** Nancy Rhodes  
**Sent:** Sunday, January 08, 2023 4:17 PM  
**To:** Planning Department  
**Subject:** January 10 meeting re Fairway Estates

**Exhibit R5**

Attn: Planning Department or Wendy Farley Campbell

I want to confirm that the January 10 scheduled meeting to discuss Fairway Estates is still on the agenda. Please let me know if it again gets postponed. Thank you.

Also, I tried to find the planning details for the FE planned walking path but wasn't able to find anything I could read. There is too much to sort through and many of the Exhibits were shrunk so small (Like Exhibit D) I couldn't read them.

I am concerned about the location of the walking path. I want to confirm it will not utilize any of their 20-ft green belt. My understanding is that Mariners has a 10-ft green belt and Fairway Estates has a 20-ft green belt. Therefore, I want to make sure said walking path will be no closer than 30-ft from my property line, AND will not interfere with drainage on either property.

I am also concerned (as I expressed at the November meeting) that the developer doesn't clear trees and vegetation in unauthorized areas - as he did with Phase I.

Thank you for your kind attention.

Nancy Rhodes  
[Redacted]



**Sharon Barker**

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**From:** sylvia.attny@gmail.com  
**Sent:** Thursday, February 09, 2023 9:26 AM  
**To:** Planning Department  
**Cc:** Sylvia.attny@gmail.com; 'CHRISSEY BAYLESS'; 'Mary Mayes'  
**Subject:** Submission of Testimony for 2-14-23 Planning Commission Meeting  
**Attachments:** 021423 PC ltr from Board.docx

Dear Planning Commission,  
The attached letter is being submitted as testimony for the February 14,  
2023 Planning Commission Meeting on behalf of the Fairway Estates Homeowners  
Association.

Thank you for your consideration,  
Sylvia Duran, President  
Fairway Estates at Sandpines Homeowners Association



February 9, 2023

City of Florence  
Planning Commission

Re: RESOLUTIONS PC 21 39 SUB 03 and PC 21 40 PUD 02 – Fairway Estates Preliminary Planned Unit Development (PUD) and Tentative Subdivision and AR 21 21 SIR 14 (Site Investigation Report)

Dear Planning Department:

The proposed Phases 2-3-4 consist of 1 parcel of 10+ acres. This parcel was annexed into the current Phase 1 development in July 2022. A newly elected Homeowners Board of Directors took office on November 1, 2022 at a legally required turnover meeting which placed both developments under the oversight and purview of one Board. The Fairway Estates at Sandpines HOA Board respectfully submits the following concerns to be entered into the record at the February 14, 2023 Planning Commission Meeting regarding the above captioned development.

**I. Emergency Exit requirements:** According to a review by local authorities, current state and local regulations require a second emergency exit for Phase 2.

2 options are acceptable:

- 1) The first is to require sprinkler systems in all new Phase 2 homes.
- 2) The second is to create a second access road on the north end of the development of Phase 2. According to current code requirements, the simple gate between Royal St. George Drive (SP West) and Tournament Drive (Fairway Estates) is not an acceptable option as a second emergency exit due to remoteness.

We, the Board of Directors representing Fairway Estates at Sandpines HOA, are not in favor of the sprinkler system option as it does not serve any current Phase 1 homes and planned Phase 2 homes for egress in the event that all 80 (potential) homeowners are trying to exit the subdivision at the same time. Additionally, new homeowners will need to pay for the extra costs of flood insurance as required by many plans insurance coverage, due to risk of water damage from the sprinkler systems. This option will also considerably increase the overall housing prices if this option is selected.

Therefore, we request that the Planning Commission require a second access road on the north boundary of Phase 2 as a condition for approval of this project. As described to us, the access road would be a simple road from the north end of Phase 2 to another road currently on private property that leads out to Rhododendron Dr. According to the information we received from the Planning Director, the private property road has already been approved by the City.

**II. Security:** The City Planning Director has informed us that a park is planned for undeveloped city owned land directly north/northeast of Phase 2. The City is not planning to fence the area between the park boundary and the homes in Phase 2, thus leaving the entire Fairway Estates subdivision open to

RECEIVED  
By Sharon Barker at 10:17 am, Feb 09, 2023



public access. We request the Planning Commission require, as a condition of approval, that a fence similar to the one installed at the entrance of Phase 1, be erected around the entire boundary of Phase 2 and require that it connect to the future emergency exit access road. Additionally, we are requesting that an electronic gate for drive through and walk through be installed at the new emergency access road as a condition of approval. This is a private gated subdivision, and homeowners here bought into a gated community for security and safety. To leave a large area north of the existing P1 homes and future P2 homes open to public access would destroy the safety and security aspects of Fairway Estates. Most homeowners in Phase 1 purchased their lots and homes because of the security it provided.

**III. Tract A.** The developer is proposing an open space presented as Tract A. We request that the Planning Commission require the new Tract A open space in Phase 2 be covered with pea gravel (or similar material) to eliminate the blowing sand that will occur in this area from vacant lots, traffic traveling into both the new P2 lots as well as the existing P1 lots and general weather conditions.

Thank you for this opportunity to submit evidence regarding this proposed project. Your consideration of our requests is appreciated.

Sincerely,

Sylvia Duran, President

Chrissy Davis, Treasurer

Mary Mayes, Secretary

Fairway Estates at Sandpines HOA



Feb. 14, 2023

Re: Fairway Estates Phases 2-3-4

Dear Ms. Wendy Farley-Campbell

We want to make a statement of support for Michael Pearson. In interests of transparency we want to make clear upfront that my husband and I are friends of Michael and Nancy Pearson. My husband and I first met Michael and Nancy in June of 2019 when we were looking to build our forever home here in Florence. We have developed a friendship and sincere appreciation of both of them over the last 3.5 years. We have vacationed on the Oregon Coast for many years and knew we wanted to retire to this wonderful community. Michael and Nancy were the first to welcome us to Florence and have made sure, since that time, that we have met many wonderful people here and feel this is truly "home". As such, we have a good knowledge of the development history of this subdivision.

It has become very apparent over the past few months that we have one person in this community who has been unhappy and bitter towards Michael since she and her wife moved into this community last year. I ask that you keep her name confidential : [REDACTED]. She has literally been unhappy since day one when someone from another community (Sandpines West) had parked an RV on Tournament Dr, creating difficulty for their moving van, although not blocking their home or driveway.

[REDACTED] over the past year or so, has made comments to several people, including both me and my husband, such as:

- "this subdivision is a fraud and the developer should not be in business"
- "I'm going to do everything in my power to stop any further development"
- "I was promised nature trails and we don't have them"
- "Why do we have to have increased HOA dues for sewer and street repair and maintenance, why doesn't the City take care of the roads, I pay taxes to them for those things"
- " I don't care about open spaces, I want the nature trails I was promised"
- "Why don't we have a clubhouse and swimming pool here. I'm very disappointed"
- "I'm going to protest this subdivision because we don't have amenities"
- "I'm going to every City Council meeting because I don't think the City is being run correctly and I want to change things"
- 

I think it is important to note that [REDACTED] decided on this house and subdivision without any knowledge of Florence, the surrounding areas, Fairway Estates subdivision or the house. Her decision was based on marketing and realty matériels. She never set foot here before moving in. Now, in our opinion, she has "buyers remorse" and is blaming Michael Pearson for her lack of due diligence before spending over \$500,000 dollars! It is also very apparent, from her comments, that she has no understanding of a "private subdivision" or the Oregon State Statutes and requirements of HOAs.

She is in a personal vendetta, again in our opinion, and we can no longer remain silent on her efforts. She is trying to denigrate our wonderful community and our subdivision while tempting to slander the Pearson's and their reputation in her ongoing attempt to create division among the homeowners and stop any further progress by the developer.



Michael and Nancy have done many things for our subdivision that she is either unaware of or doesn't care. Since we have been here Michael has personally, and at his cost without charging the HOA, taken care of brush removal, downed trees, eradicated frequently the recurring scotch broom. When landscapers were not available, or did not show up as promised, Michael personally worked in the subdivision to meet the requests of homeowners.

At our turnover meeting on Nov. 2, 2022 the homeowners group requested the closure of the main gate 24/7, which had primarily been open prior to that. Although this created an extra obstruction to realtors showing lots and homes and construction workers coming in and out, this request was accomplished the next day, without question, by Michael and Nancy.

Fairway Estates PUD- Phase 1 **does have** adequate open spaces per the approval process. This has been pointed out to [REDACTED] by the Board several times. However, she then went forward and hired a photographer to take pictures in an attempt to prove her point about trails. My husband and I have personally walked the "open spaces" and nature trail areas in our community and find them adequate and walkable. We moved here for the serenity and natural beauty of the area, not paved walking and bicycle trails in the subdivision! Or a clubhouse and swimming pool! There are many trails and other nature areas very close to us that are readily accessible for longer hikes if wanted. To my knowledge, no one else in the homeowners group has complained about the nature trails.

It should also be noted that even in the early marketing materials, there was never a clubhouse or swimming pool mentioned! And further development of nature trails were a future development with Phase 2-3-4. Perhaps she's thinking about Florentine Estates instead of Fairway Estates?

On another note: As the elected Treasurer of the Board of Directors for Fairway Estates at Sandpines, I have had multiple opportunities to talk with many of our homeowners. Our board feels a strong responsibility to appropriately manage our annual budget and oversee all expenses. Our homeowners have been advised many times that any "enhancements" or more additions desired to the existing open spaces will be the responsibility of the HOA to maintain and repair as needed. Items such as dog poop stations, park benches and ground covering matériels have been discussed. The costs to maintain these are not wanted by the majority of homeowners at this time. And it has also been made known that these types of additions and/or enhancements must be passed by a 75% majority vote of the homeowners. A single homeowner can certainly ask the board to consider these, but one homeowner does not have the right to demand them.

The Pearson's have stated they are willing to place enhancements such as benches and dog stations, but since the homeowners are not in favor of the ongoing maintenance these have not been placed to date.

We do not want the Planning Commission to accept [REDACTED] comments as those of the majority of homeowners in this subdivision, as they most definitely are NOT.

Thank you for your consideration of our thoughts and concerns. And again, can we please keep [REDACTED] name confidential? If that is not possible I will re-word the letter to just refer to "a homeowner"

Sincerely,

Ed and Chrissy Davis



Clare Kurth

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**Sent:** Tuesday, April 25, 2023 7:45 AM  
**To:** Wendy Farley-Campbell <wendy.farleycampbell@ci.florence.or.us>  
**Subject:** Fairway Estates 2-3-4

From: Tom  
Faber  
2023

April 25,

To: Florence Planning Dept

Subject: Fairway Estates

While reviewing the Fairway Estates Exhibits posted in the supporting documents for the meeting on Tuesday April 25, 2023, I see a new document from the developer listed as Exhibit C-3. The document pertains to the Fee-in-Lieu for Open Space. I have a few concerns.

1. It appears the developer is attempting to renegotiate the fee based on inserting wordage into the code that did not previously exist, namely, "percentage of site perimeter" is being utilized as an "assumption and method" when no such factor is included in the formula contained in the FCC Title 10, PUD 10-23 (fee-in -lieu). I am sure there is a process to update City codes but that should occur before assumptions are made.
2. Exhibit C2, also submitted by the developer contains the original proposed layout for the area. The golf course to the east (30% of site perimeter) has proposed residential development to be included as part the Sandpines Master Plan. That is the reason that Tournament Drive



contains underground infrastructure, easements and ends in full size stub for easy connection to the future development.

3. The code is also very specific in stating that 50% of the open space requirement may be met with a fee-in-lieu if the proposed PUD is within one quarter mile of underdeveloped parkland as measured on "PUBLIC RIGHTS OF WAY WITH REASONABLE PEDESTRIAN AND BICYCLE CONNECTIONS". The 40 acre tract the city owns is surrounded by private and county lands. There is no formal public access, there is no proposed development contained in the City's Master Plan for Parks and the developer advertises "Exclusive Access" to the area in their marketing materials.



**Clare Kurth**

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**From:** Wendy Farley-Campbell  
**Sent:** Tuesday, February 14, 2023 1:44 PM  
**To:** Planning Department  
**Subject:** FW: Fairway Estates & Sandpines East shared exit

-----Original Message-----

**From:** Louise Handly [REDACTED]  
**Sent:** Friday, February 10, 2023 10:28 AM  
**To:** Wendy Farley-Campbell <wendy.farleycampbell@ci.florence.or.us>  
**Cc:** [REDACTED]  
**Subject:** Fairway Estates & Sandpines East shared exit

Hi Wendy,

As I've waited to exit Fairway Estates I notice families in Sandpines East also sharing our only entrance and exit at Rhododendron. I don't know how many homes nor the number of individuals per home living in Sandpines East, but am aware that this subdivision also includes 2 courts, a duplex and a possible 4-plex.

Should an emergency occur requiring all of these families' use of this shared exit, that would increase the number of individuals beyond those of the Fairway Estates, phase 1-4. A vehicle exit to the north of the Fairway Estates complex in the phase 4 area would help facilitate a safer option for all.

Thinking about safety,

Louise Handly  
[REDACTED]



**Clare Kurth**

**From:** [REDACTED]  
**Sent:** Tuesday, April 25, 2023 3:22 PM  
**To:** Wendy Farley-Campbell  
**Cc:** Planning Department [REDACTED]  
**Subject:** RESOLUTIONS PC 21 39 SUB 03 and PC21 40 PUD 02 - Fairway Estates Preliminary Planned Unit Development (PUD) and Tentative Subdivision and AR 21 21 SIR 14 (Site Investigation Report)

Dear Planning Director and Planning Commission:

Having received additional information from Northwest Code Professionals and Mike Pearson, the developer for Phase 2 of Fairway Estates, the HOA is requesting the following changes/modifications to our previous requests:

1. Should the Planning Commission approve Northwest Code Professionals' recommendation that fire resistive construction components will suffice in lieu of an access road at the north end of the Phase 2 requirement, we agree to withdraw our request for a vehicular gate at that location.
2. Fencing and gate at the north end of Phase 2-3-4. Mr. Pearson has provided verbal agreement to fence the northern portion (as we had requested) and install a pedestrian gate capable of being locked. This is subject to approval as noted in Item 1 above. If the elimination of the access gate is not approved, we ask that you retain our previous request for a vehicular gate.
3. Tract A: In speaking with Mr. Pearson, his suggestions for landscaping is being considered by the Board. Further discussion is required. Although we had asked that pea gravel be required for Tract A, we are withdrawing that request pending further discussions with Mr. Pearson.

Mr. Pearson will be providing assurances to all of the above in writing.

Pending the outcome of the PC approvals, Fairway Estates is highly likely left with only 1 fire exit on Rhododendron Drive to serve 80 homes. This remains a concern because regardless of fire resistive construction components, residents will still need to exit the subdivision.

Additionally, if fire presents in Phase 1 or on Rhododendron Dr, there will be no way to exit east or north of the subdivision. Please take these facts into consideration when reviewing the entire proposal for fire exit purposes.

Thank you for your consideration.

FE at Sandpines HOA  
Sylvia Duran, President  
Chrissy Davis, Treasurer  
Mary Mayes, Secretary



**Clare Kurth**

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**From:** Wendy Farley-Campbell  
**Sent:** Tuesday, February 14, 2023 1:45 PM  
**To:** Planning Department  
**Subject:** FW: Fairway Estates

-----Original Message-----

**From:** John Robertson [REDACTED]  
**Sent:** Tuesday, February 14, 2023 9:59 AM  
**To:** Wendy Farley-Campbell <wendy.farleycampbell@ci.florence.or.us>  
**Cc:** jmichael313@gmail.com  
**Subject:** Fairway Estates

Dear Wendy,

My name is John Robertson, and I am a resident of Fairway Estates. It has been called to my attention that one of my neighbors

has attacked the character of our developer Michael Pearson. I have gotten to know Michael thru our purchase of 500 Tournament

Dr. Fairway Estates. He has always conducted himself in a very professional manner with integrity. He has been nothing but very

helpful and supportive for the last 2 1/2 years since our move to Fairway Estates. Please feel free to reach out to me to talk about

anything related to this matter.

Sincerely,

John Robertson  
[REDACTED]



**Clare Kurth**

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**From:** [REDACTED]  
**Sent:** Tuesday, February 14, 2023 2:15 PM  
**To:** Planning Department; Wendy Farley-Campbell  
**Cc:** [REDACTED]  
**Subject:** Followup to letter dated February 9, 2023 from Fairway Estates Homeowners Association at SandPines

Good afternoon:

This email is a follow up to a letter submitted on February 9, 2023 regarding issues of concern with the Phase II development of Fairway Estates.

The Board has limited our concerns to Phase II only, with the one exception of the "simple gate" access, and only because of the lack of emergency access as it relates to Phase II. We also have had conversations with the developer, who is being cooperative and reasonable in addressing the concerns presented by our HOA Board in the February 9, 2023 letter.

To clarify, the Board's primary focus is on Phase II and the issues outlined in our February 9, 2023 letter to the Planning Commission. Several homeowners in Fairway Estates have sent letters of concern to the Planning Commission with comments, some of which include Phase I concerns. Again, individual comments do not represent the Board's position. We expect the Planning Commission to address these individual concerns with the individual homeowners on a case by case basis.

We look forward to a positive and productive evening tonight.

Thank you for your time and consideration.

Sylvia Duran, President  
Mary Mayes, Secretary  
Chrissy Davis, Treasurer  
Fairway Estates Homeowners Association Board of Directors



**From:** Wendy Farley-Campbell  
**Sent:** Tuesday, February 14, 2023 1:45 PM  
**To:** Planning Department  
**Subject:** FW: Fairway Estates - Emergency & open space planning

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Tuesday, February 7, 2023 4:35 PM  
**To:** Wendy Farley-Campbell <wendy.farleycampbell@ci.florence.or.us>  
**Cc:** [REDACTED]  
**Subject:** Fairway Estates - Emergency & open space planning

Hi Wendy,

#### Subdivision Emergency Exits

During the last planning meeting & at one of our HOA group meetings, concern was shared about in case of an emergency, the ability to get out of the Fairway Estates subdivision that has only one main entrance and exit. With the addition of phases 2-4, that will mean even more individuals' safety to consider.

I take this concern seriously. Here are some comments/suggestions I heard:

1. Drive through the wooden Sandpines East gate near our main entrance. Currently, there is no agreement between these 2 subdivisions for gate usage by the Fairway Estates. If an obstruction occurs before this Sandpines East gate, blocking both exist, this is an issue, too.
2. Drive into the Golf course. There is an opening at the east end of Tournament Drive onto the Golf course. The Golf path is narrow for golf carts, not cars, and this course does not belong to our subdivision & we do not have any arrangements about emergency usage and appropriate pathways vehicles should take.
3. We don't need another exit as the Mariners Village, the subdivision to the north of us, only has 1 exit for their 75 homes. Is one entrance and exit the safest for any neighborhood with 70-80 homes with families?

Perhaps the City of Florence should consider helping Lane County with building a road to the landlocked (?) Three Mile Prairie County Park. Since Three Mile Prairie Park is near the projected Fairway Estates Phase 4, this road could also provide an emergency exit for both the families in the Mariners Village subdivision & those in the Fairway Estates, Phases 1-4. With approximately 155 homes based on the the projected new Fairway Estates Phase 2-4 lots and the current number of homes in the subdivision to the north (about 210 individuals if double occupancy, however, there are larger families in Mariners Village), this new road could provide the needed emergency exits for the families of both of Mariners Village and expanding Fairway Estates.

#### Location of Subdivision Open Space

During the January planning meeting, Mr Pearson, our Fairway Estates developer, noted that there were plans for an open space within Phase 4 of Fairway Estates. Some of the Phase 1 neighbors later suggested that perhaps this open space area can be created closer to Phase 1 so that individuals in Phase 1 & 2 might benefit sooner.



# Exhibit R11

**From:** [Nancy Rhodes](#)  
**To:** [Planning Department](#)  
**Subject:** January 10 meeting re Fairway Estates  
**Date:** Sunday, January 08, 2023 6:10:02 PM

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Attn: Planning Department or Wendy Farley Campbell

I want to confirm that the January 10 scheduled meeting to discuss Fairway Estates is still on the agenda. Please let me know if it again gets postponed. Thank you.

Also, I tried to find the planning details for the FE planned walking path but wasn't able to find anything I could read. There is too much to sort through and many of the Exhibits were shrunk so small (Like Exhibit D) I couldn't read them.

I am concerned about the location of the walking path. I want to confirm it will not utilize any of their 20-ft green belt. My understanding is that Mariners has a 10-ft green belt and Fairway Estates has a 20-ft green belt. Therefore, I want to make sure said walking path will be no closer than 30-ft from my property line, AND will not interfere with drainage on either property.

I am also concerned (as I expressed at the November meeting) that the developer doesn't clear trees and vegetation in unauthorized areas - as he did with Phase I.

Thank you for your kind attention.

Nancy Rhodes  
9 Mariners Land



To: Mayor and City Council, Planning Commission  
Subject: Fairway Estates, Phase 2-3-4  
and January 10, 2023, meeting

January 18, 2023

Concerns:

- (1) Emergency evacuation and traffic concerns
- (2) Illegal usage of Fairway Estates setback space
- (3) Drainage and tree stability concerns
- (4) Wetlands use

My name is Nancy Rhodes and I live at [REDACTED], Florence. I have attended the two prior meetings held at the Florence City Hall concerning Planned Unit Development, Title 10, Chapter 23.

At the November meeting, I expressed concerns regarding the city's vigilance over the Developer's actions once approval has been granted. He has a history of violating codes, including the destruction of property (trees and shrubbery) not yet authorized for removal. At the January 10 meeting, as recorded, I expressed concerns about the location of the Nature Trail or Walking Path and repeated my concern about the clearance of vegetation in UNAUTHORIZED areas.

With regard to the January 10 meeting:

- (1) Emergency evacuation: Mr. Pearson brought up that since Mariners Village only has one evacuation exit, he shouldn't be asked to have more. I would argue that Mariners Village has 70 homes, and his development will have 80. Also, the layout and acreage of Mariners make all homes very close to their exit. This is not true if you look at the homes planned in phases 2, 3, and 4. Also- important to note - is that since the time that Mariners was built, many new homes have come into the area—all that access Rhododendron Drive. And, as you know, there will be hundreds more in the condensed housing plan near Rhododendron and 35<sup>th</sup>.

**If all of us have to evacuate because of a Tsunami or fire, there will be such a backup on Rhododendron we could meet the same fate as people trying to flee from the Paradise (CA) fire.**

Finally, two wrongs don't make a right. Mariners Village should have had a second exit. I urge City Planning to make sure the residents of FE have another way of exiting FE besides Rhododendron Drive.

- (2) I believe Mr. Pearson indicated that his planned Nature Path will be on or within FE's easement space. According to Title 10-23-5 (E-4- b and g) "The following areas are **not acceptable for recreation area** required as part of a PUD: // b: 'wetland' buffer' (which much of the area near Mariners Village west side has acted as drainage since the 2017 storms); and, g: Yards, court areas, **setbacks**, or other open areas required by the zoning and building ordinances and regulations shall not be included in the computation. Therefore the current plans for a nature path do not meet city requirements and should not be considered.



(3) Drainage and tree stability: During the last big Florence flood (which seriously affected Mariners Village) I had a lot of water on my property coming from the area slated for development. The last time I checked, there was an area just behind the Mariners 10-ft easement created as a ditch (parallel to my property) that served as drainage so water would not advance into our yards and homes. I urge the city not to allow the developer to fill in any such (important) drainage areas.

There is a grove of trees behind my home, many of which are within Mariner's 10-ft setback. Several more are on FE's setback. (Is it 10-ft or 15? I'd been told earlier it was 20... Would appreciate written confirmation on this.) If the developer removes the nearby trees next to ours—trees that are supported by the same root structures—our trees will no longer be supported and could fall during any major wind event. **This could damage my home and cause major injury to me or others.** I request that none of the trees within 30 feet of my property line be removed. If there are any plans to remove trees within this space, particularly behind FE lots 48 and 49, I urge the Planning Dept to conduct a thorough ecological study to ascertain 1) if removal of said trees will pose threat to surrounding trees on Mariner's property, and 2) will the removal of trees and shrubbery in that area lead to more water retention or flow to our properties?

(4) Wetlands: I was taken aback by Mr. Pearson's comment that the wetland area that he proposes to build on "are never wet." This clearly shows his lack of understanding concerning the importance of wetlands and habitat. I am disappointed that Mr. Pearson can simply 'buy' his way out of having the proposed amount of open space and will build on important wetlands. (I'm not familiar with this area, but I'd be surprised if they weren't wet right now.)

Unfortunately, I will not be in town for the scheduled February 14<sup>th</sup> meeting. I ask that my concerns be put on record, and request that my questions and concerns be carefully considered and addressed.

Thank you to the City Planning Department and staff for all their effort and work regarding this (and other) proposed development.

Nancy Rhodes

  
Florence OR 97439



February 28, 2023

City of Florence  
Planning Commission

Re: RESOLUTIONS PC 21 39 SUB 03 and PC 21 40 PUD 02 – Fairway Estates Preliminary Planned Unit Development (PUD) and Tentative Subdivision and AR 21 21 SIR 14 (Site Investigation Report)

Dear Planning Department:

The proposed Phases 2-3-4 consist of 1 parcel of 10+ acres. This parcel was annexed into the current Phase 1 development in July 2022. A newly elected Homeowners Board of Directors took office on November 1, 2022 at a legally required turnover meeting which placed both developments under the oversight and purview of one Board. The Fairway Estates at Sandpines HOA Board respectfully submits the following concerns to be entered into the record at the February 28, 2023 Planning Commission Meeting regarding the above captioned development.

**The following are excerpts from our previous letter dated February 9, 2023. We did not see either of these addressed in your most recent report. We are therefore resubmitting our request that the following conditions be incorporated into your conditions of approval, specifically as conditions with assurances from the developer.**

**I. Security:** The City Planning Director has informed us that a park is planned for undeveloped city owned land directly north/northeast of Phase 2. The City is not planning to fence the area between the park boundary and the homes in Phase 2, thus leaving the entire Fairway Estates subdivision open to public access. **We request the Planning Commission require, as a condition of approval, that a fence similar to the one installed at the entrance of Phase 1, be erected around the entire boundary of Phase 2 and require that it connect to the future emergency exit access road. Additionally, we are requesting that an electronic gate for drive through and walk through be installed at the new emergency access road as a condition of approval.** This is a private gated subdivision, and homeowners here bought into a gated community for security and safety. To leave a large area north of the existing P1 homes and future P2 homes open to public access would destroy the safety and security aspects of Fairway Estates. Most homeowners in Phase 1 purchased their lots and homes because of the security it provided.

**II. Tract A.** The developer is proposing an open space presented as Tract A. **We request that the Planning Commission require the new Tract A open space in Phase 2 be covered with pea gravel (or similar material) to eliminate the blowing sand that will occur in this area from vacant lots, traffic traveling into both the new P2 lots as well as the existing P1 lots and general weather conditions.**

Thank you for this opportunity to submit evidence regarding this proposed project. Your consideration of our requests is appreciated.

Sincerely,

Sylvia Duran, President, Chrissy Davis, Treasurer, Mary Mayes, Secretary

Fairway Estates at Sandpines HOA



March 7, 2023

City of Florence Planning Commission

Re: RESOLUTIONS PC 21 39 SUB 03 and PC 21 40 PUD 02 – Fairway Estates Preliminary Planned Unit Development (PUD) and Tentative Subdivision and AR 21 21 SIR 14 (Site Investigation Report)

Attn: Wendy Farley Campbell, Planning Director

In response to your our post meeting conversation on February 28, 2023, on behalf of the Fairway Estates Homeowners Association at Sandpines, I am providing specific details on our request to have fencing and gates required as a condition of approval for Phases 2, 3, and 4, as enumerated below:

**Location:** Beginning at the northwest intersection of Mariners Village and Phase 3 and proceeding east along the northern boundary of Phases 3 and 4 stopping at the end of the northeast boundary of Phase 4 which intersects with Florence Links Golf Course where fencing will end.

**Gates:** Gates should be constructed as part of the fencing to be completed on the northern boundary of Phases 3 and 4 at the end of the new second ingress/egress road as determined by the Planning Department. The end of the new second ingress/egress road should connect Phases 1, 2, 3 and 4 to the proposed city access road to be constructed into the future City Park. The vehicular and pedestrian gates will provide for electronic access for vehicles and a combination lock access for the gate for pedestrian traffic. The electronic vehicular access will operate by the use of a digital keypad and a remote control device, identical to the access provided at the entrance to Phase I at Rhododendron Drive. All residents of Phase 1, 2, 3 and 4 will be provided 2 remote controls per household as appropriate and timely for constructed and sold houses.

**Gate Design:** Both gates will eventually be viewed by the public once the proposed City Park and permanent access roads are in place. The gates should be consistent with the aesthetics of Fairway Estates and should mimic the design of the entrance gates at Rhododendron Drive. This includes the stone pillars that support both gates on either side of the entrance on Rhododendron Drive.

**Description of Material:** The fence should be a minimum of 6' tall, made of 6 gauge black vinyl coated chain link, exactly the same as the fencing and gates used at the current entrance to Fairway Estates on Rhododendron Drive.

**Timeline:** All fencing and gates need to be installed and operational prior to issuing the first Building Permit for Phase 3.

A simple map with our location markings is enclosed for reference.

Thank you for your time and efforts on our behalf.

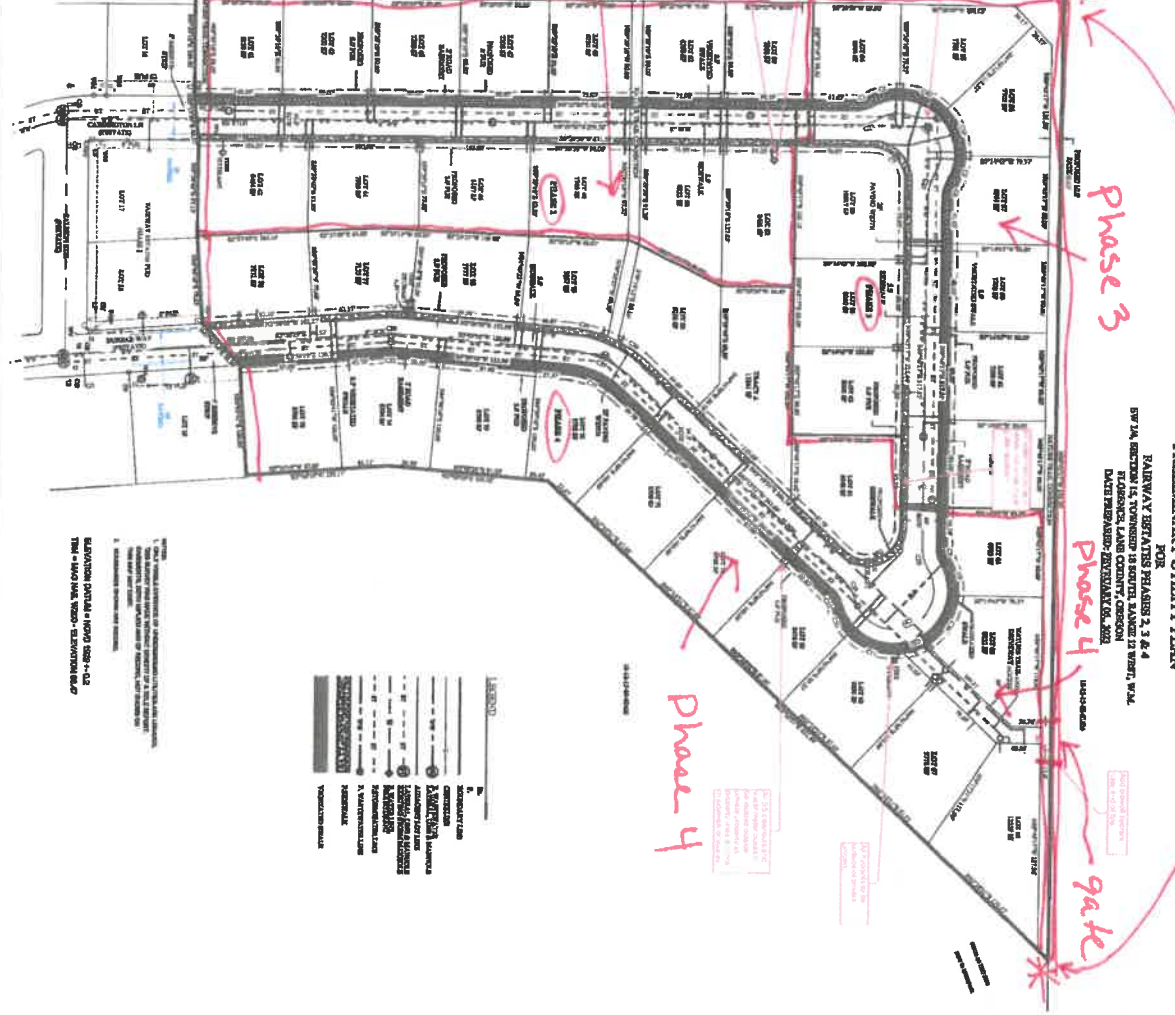
Sylvia Duran, President, Chrissy Davis, Treasurer, Mary Mapes, Secretary

Fairway Estates Homeowners Association at Sandpines

(1) Enclosure - map



PLANNING NUMBER:  
 ADMINISTRATION NUMBER:  
 LOCATION OF PROPERTY AND/OR ROAD OR CANAL, ADDRESS AND ROAD NUMBER AND



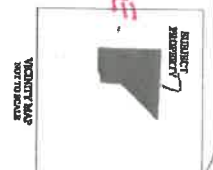
Phase 2

Phase 3

Phase 4

gate

main link fence



Metroland Planning, Inc.  
 10000 Metroland Blvd., Suite 100  
 Springfield, VA 22152  
 541-582-2000